**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF OHIO**
**WESTERN DIVISION**

**TISHA ENGLAND, *et al.*,**

**Plaintiffs**

**v.** **C-1-11-93**

**POLICE OFFICER RYAN SCHRAND,**

**Defendant**

**ORDER**

**This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 28) and plaintiff's objections thereto (doc. no. 29) and defendant's response (doc. no. 30). The Magistrate Judge concluded that defendant is entitled to qualified immunity on plaintiff's Fourth Amendment claims. The Magistrate Judge, therefore, recommended that defendant's Motion for Summary Judgment (doc. no. 24) be granted.**

**Plaintiff objects to the Judge's Report and Recommendation on the grounds that his findings are contrary to law.**

## CONCLUSION

**Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Magistrate Judge.**

**Accordingly, the Court hereby ADOPTS AND INCORPORATES BY REFERENCE HEREIN the Report and Recommendation of the United States Magistrate Judge (doc. no. 28). Defendant's Motion for Summary Judgment (doc. no. 24) is GRANTED.**

**Pursuant to 28 U.S.C. § 1915(a), the Court CERTIFIES that for the foregoing reasons an appeal of any Order adopting this Report and Recommendation would not be taken in good faith and therefore deny plaintiff leave to appeal *in forma pauperis.* Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *See Callihan v.***

***Schneider,*** **178 F .3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.,* 105 F.3d 274, 277 (6th Cir. 1997).**

**This case is DISMISSED AND TERMINATED on the docket of this Court.**

**IT IS SO ORDERED.**

**s/Herman J. Weber**
**Herman J. Weber, Senior Judge**
**United States District Court**