UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

DAVID TYRONE HILL,

Plaintiff

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C-1-12-63

WARDEN, SOUTHERN OHIO CORRECTIONAL FACILITY,

Defendant

<u>ORDER</u>

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 6) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the applicable law and has properly applied it to the particular facts of this case. Accordingly, in the absence of any objection by plaintiff, this Court accepts the Report as uncontroverted. The Report and Recommendation of the United States Magistrate Judge (doc. no. 6) is hereby **ADOPTED AND INCORPORATED HEREIN BY REFERENCE**. Plaintiff's allegations pertaining to deficiencies in the grievance procedure at Southern Ohio Correctional Facility are DISMISSED for failure to state a claim upon which relief may be granted under 42 U.S.C. § 1983. *See* 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b).

This case is RECOMMITTED to the United States Magistrate Judge for further proceedings according to law.

IT IS SO ORDERED.

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