

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

AMANDA U. LEVY,

Plaintiff

v.

C-1-13-148

MACY'S INC.,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 28) 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. 28) is hereby ADOPTED AND INCORPORATED HEREIN BY REFERENCE. Defendant's Motion to Dismiss (doc. no. 10) is GRANTED

and the Complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) on the ground it is frivolous and pursuant to Fed. R. Civ. P. 12(b)(6) on the ground it fails to state a claim to relief. Plaintiff's Motions for Leave to Amend/Supplement the Complaint (doc. nos. 23 and 27) are DENIED. Defendant's Motion to Strike the Second Amended Complaint (doc. no. 20) and plaintiff's Motion for Relief (doc. no. 14), Revised Motion for Relief (doc. no. 15) and Motion to Strike the Motion to Dismiss and Receive Court Documents Via Email (doc. no. 25) are DENIED as moot. Amanda U. Levy/Amanda Ajuluchuku/Amanda Levy-Ajuluchuku is ENJOINED from filing any future civil actions in the Southern District of Ohio unless the Complaint is first certified as non-frivolous by an attorney in good standing in this Court or the jurisdiction in which he or she is admitted. The Clerk of Court is DIRECTED to reject any Complaint from Amanda U. Levy/Amanda Ajuluchuku/Amanda Levy-Ajuluchuku unless she complies with the Court's pre-filing certification instructions and pays the full filing fee.

The Court certifies pursuant to 28 U.S.C. § 1915(a) that for the foregoing reasons an appeal of any Order adopting this Report and Recommendation would not be taken in good faith and therefore denies 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