

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LEMARR JENNINGS, *et al.*, : Case No. 1:13-cv-868
: :
Plaintiffs, : Judge Timothy S. Black
: : Magistrate Judge Karen L. Litkovitz
vs. : :
: :
DOUGLAS M. RASTAHER, *et al.*, :
: :
Defendants. : :

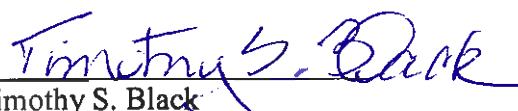
DECISION AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (Doc. 14); (2) OVERRULING PLAINTIFF'S OBJECTIONS (Doc. 17); (3) DISMISSING PLAINTIFF'S AMENDED COMPLAINT (Doc. 10) WITH PREJUDICE; AND (4) CERTIFYING THAT AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH AND THEREFORE DENYING PLAINTIFF LEAVE TO APPEAL IN FORMA PAUPERIS

This case is before the Court on the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz. (Doc. 14). Plaintiff filed Objections to the Report and Recommendation of the Magistrate Judge (Doc. 17) and the issues are now ripe for the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court conducted a *de novo* review of the comprehensive findings of the Magistrate Judge and Plaintiff's filings in this case. Based upon that review, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge in its entirety (Doc. 14); (2) **OVERRULES** Plaintiff's Objections (Doc. 17); (3) **DISMISSES** Plaintiff's Amended Complaint (Doc. 10) **WITH PREJUDICE**; and (4) **CERTIFIES** that an appeal of this Decision would not be taken in good faith and, therefore, **DENIES** Plaintiff leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

Date: 4/16/14


Timothy S. Black
United States District Judge