

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

AARON D. YOUNKER,	:	Case No. 1:14-cv-108
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K. Bowman
	:	
STATE OF OHIO,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY ADOPTING  
THE REPORT AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE (Doc. 6)**

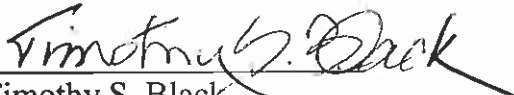
This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio, Western Division, to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on February 12, 2014, submitted a Report and Recommendation. (Doc. 6). Any objections to the Report and Recommendation were due on or before February 26, 2014. (*Id.* at 9). No objections have been filed.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the relevant filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety. Accordingly:

1. The Report and Recommendation (Doc. 6) is **ADOPTED**;
2. Plaintiff's Complaint (Doc. 5) is frivolous and is therefore hereby **DISMISSED** with prejudice;
3. Plaintiff is advised that if he continues to file lawsuits with this Court that are subject to dismissal on screening, he may be subject to sanctions under Fed. R. Civ. P. 11 as a vexatious litigator; and
4. The Court certifies pursuant to 28 U.S.C. § 1915(a) that for the reasons stated in the Report and Recommendation (Doc. 6), an appeal of any Order adopting it would not be taken in good faith and Plaintiff is therefore denied 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).

**IT IS SO ORDERED.**

Date: 3/4/14

  
Timothy S. Black  
United States District Judge