

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JAMAL MURRAY,	:	Case No. 1:14-cv-168
	:	
Plaintiff,	:	Judge Timothy S. Black
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
OHIO DEPARTMENT OF	:	
CORRECTIONS, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 60)**

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 Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and on January 17, 2017, submitted a Report and Recommendation.<sup>1</sup> (Doc. 60). No objections were filed.

As required by 28 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 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.

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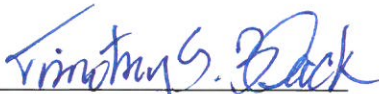
<sup>1</sup> The Magistrate Judge's January 17, 2017 filing, titled "Order and Report and Recommendation" (Doc. 60), granted Plaintiff's motion for leave to file a second amended complaint (Doc. 54) and recommended that the motion of Defendants Timothy Heyd and Amy Weiss ("Defendants") to dismiss the complaint (Doc. 45) be denied as moot. Pursuant to Fed. R. Civ. P. 72, this Decision and Entry is limited to the Magistrate Judge's recommendation regarding Defendants' motion to dismiss.

Accordingly, Defendants' motion to dismiss for failure to state a claim (Doc. 45) is

**DENIED** as moot.

**IT IS SO ORDERED.**

Date: 2/3/17

  
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Timothy S. Black  
United States District Judge