

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ERNEST HALL,	:	Case No. 1:14-cv-476
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
SGT. CROSS,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY ADOPTING THE REPORT AND  
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE  
(Doc. 2)**

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 June 17, 2014 submitted a Report and Recommendations. (Doc. 2). Plaintiff did not file objections.

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 Recommendations should be and is hereby adopted in its entirety. Accordingly:

1. Plaintiff's motion to proceed in *forma pauperis* is **DENIED**;
2. Plaintiff is **ORDERED** to pay the full \$400 filing fee on or before August 11, 2014;

3. Plaintiff is **ADVISED** that his failure to pay the full \$400 filing fee on or before August 11, 2014 will result in dismissal of his action; and
4. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith, and therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*. He remains free, however, to apply to proceed *in forma pauperis* in the Court of Appeals.

**IT IS SO ORDERED.**

Date: 7/14/2014

/s/Timothy S. Black  
Timothy S. Black  
United States District Judge