

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Regina Applegate, :  
Plaintiff(s), :  
vs. : Case Number: 1:14cv498  
Commissioner of Social Security, : Judge Susan J. Dlott  
Defendant(s). :  
:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on January 26, 2015 (Doc. 14), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired February 12, 2015, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is **DISMISSED** with prejudice for lack of prosecution.

The Court certifies pursuant to 28 U.S.C. §1915(a) that an appeal of this Order will not be taken in good faith, therefore, **DENYING** plaintiff leave to appeal *in forma pauperis*. Plaintiff, a non-prisoner, remains free to apply to proceed *in forma pauperis* in the Court of Appeals. *See Calliham v. Schneider*, 178 F.3d 800, 803 (6<sup>th</sup> Cir. 1990), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6<sup>th</sup> Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott  
Judge Susan J. Dlott  
United States District Court