

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Kenneth J. Rutherford, Jr.,

Plaintiff,

v.

Case No. 1:15cv164

Warden, Southern Ohio Correctional
Facility,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on June 15, 2015 (Doc. 20).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 20) of the Magistrate Judge is hereby **ADOPTED** consistent with the Recommendation by the Magistrate Judge. Plaintiff's Motion for Leave to File an Amended Complaint (Doc. 7) is denied to the extent set forth in the Report and Recommendation (Doc. 20).

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett
United States District Judge