

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Robert Iles,

Plaintiff,

v.

Dennis Skeene,

Defendant.

Case No. 1:15cv631

Judge Michael R. Barrett

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on October 2, 2015 (Doc. 4).

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. However, Plaintiff filed a Motion for Court to Order Transcripts (Doc. 5); Notice of Appeal (Doc. 6); and Motion for Leave to Appeal *in Forma Pauperis* (Doc. 7).

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 4) of the Magistrate Judge is hereby **ADOPTED**. Removal of this action to this federal court is **DENIED** and this matter is **REMANDED** to the state court. Because this action is being remanded, Plaintiff's Motion for Court to Order Transcripts (Doc. 5) is **DENIED as MOOT**.

It is also **ORDERED** that pursuant to 28 U.S.C. § 1915(a), Plaintiff's Motion for Leave to Appeal *in Forma Pauperis* (Doc. 7) is **DENIED**. However, Plaintiff remains free to apply for in forma pauperis in the Court of Appeals.

This matter is **CLOSED and TERMINATED** on the docket of this Court. However,

Plaintiff's Notice of Appeal (Doc. 6) is to remain pending.

IT IS SO ORDERED.

/s/ Michael Barrett

Michael R. Barrett
United States District Judge