

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

Anthony Davis,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:15cv753
vs.	:	
	:	Judge Susan J. Dlott
Amazon.com,	:	
	:	
Defendant(s).	:	

ORDER

This matter 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 and filed with this Court on March 21, 2016 a Report and Recommendations (Doc. 13). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 14) and the defendant filed a response to the objections (Doc. 15). Plaintiff filed additional objections to the Report and Recommendation (Doc. 20) and defendants filed a response to the additional objections (Doc. 21).

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 Recommendation should be adopted.

Accordingly, defendant’s motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6) (Doc 6.) is GRANTED.

The Court certifies pursuant to 28 U.S.C. § 1915(a) that an appeal of any Order adopting the Report and Recommendation will not be taken in good faith and therefore denies plaintiff

leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. See *Callihan v. Schneider*, 178 F.3d 800, 803 (6<sup>th</sup> Cir. 1999), 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