

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DONALD K. MALONE, : Case No. 1:16-cv-980  
: Plaintiff, : Judge Timothy S. Black  
: vs. : Magistrate Judge Stephanie K. Bowman  
: C. DAVIS, *et al.*, :  
: Defendants. :  
:

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 5)**

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 Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on January 10, 2017, submitted a Report and Recommendation. (Doc. 5). No objections were filed.

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 Recommendation should be and is hereby adopted in its entirety.

Accordingly, this civil action is **DISMISSED** for lack of prosecution. The Clerk shall enter judgment accordingly, whereupon this case shall be **TERMINATED** from the Court's docket.

**IT IS SO ORDERED.**

Date: 1/27/17

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