UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

HAMILTON COUNTY TREASURER,	:	Case No. 1:16-cv-1114
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Stephanie K. Bowman
vs.	:	
DERRYN N. NESBITT, *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 December 9, 2016, submitted a Report and Recommendation. (Doc. 5). Defendants filed objections on December 27, 2016. (Doc. 7).[1]

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

[1] Defendants' objections erroneously argue that the Magistrate Judge did not have authority to issue a Report and Recommendation on this case without their consent. The objections, which are rambling and cite no relevant authority throughout their 37 pages, do not address the clear lack of grounds for removal in this case as outlined by the Magistrate Judge in her Report and Recommendation.

determine that such Report and Recommendation should be and is hereby adopted in its entirety.

Accordingly, **IT IS ORDERED** as follows:

1) Defendants' removal petition (Doc. 4) is **DENIED**;

2) This case is **REMANDED** to the Hamilton County Board of Revision;

3) Defendants' remaining motions (Docs. 8, 9) are **DENIED AS MOOT**;

4) Defendants are **ORDERED** to pay the amount of $100.00 to the Clerk of Court as a sanction for filing a wholly frivolous petition of removal in this case;

5) The Court certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith and therefore Plaintiff is denied leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

Date: 1/11/2017

Timothy S. Black
United States District Judge