

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

Bank of America, N.A.,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:16cv1156
vs.	:	
	:	Judge Susan J. Dlott
Demetrious Smith, et al.,	:	
	:	
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 Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on June 1, 2017 a Report and Recommendation (Doc. 26). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 29).

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, defendants' motions for leave to proceed *in forma pauperis* on appeal (Docs. 19 and 20) are DENIED.

Defendants' miscellaneous "motion" or "petition for review" (Doc. 23) is DENIED.

To the extent the "Amended Certificate of Service" (Doc. 25) is intended to be construed as a motion to amend a prior filing it also is DENIED.

Based upon defendants' contumacious conduct in continuing to clog the docket of this

case with frivolous motions and petitions filed after remand, the Court instructs the Clerk of Court to refuse any further filings in the above - captioned case, with the sole exception of any timely permissible objections to the Report and Recommendation. If other petitions or motions are inadvertently accepted by the Clerk and filed in this case, they will be summarily denied and or stricken from the record.

Finally, defendants will be and are warned in the strongest possible terms that they may be subjected to future non-monetary sanctions, as well as additional monetary sanctions, if they continue vexatious filings in this federal court in any other case. This includes any future attempt to again improperly remove actions from state court to federal court.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Susan J. Dlott
United States District Court