

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DOUGLAS GEER,	:	Case No. 1:17-cv-214
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
JACQUELINE GINOCCHIO, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 4)**

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 Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on April 20, 2017, submitted a Report and Recommendations. (Doc. 4). Plaintiff filed objections on May 30, 2017.¹

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*

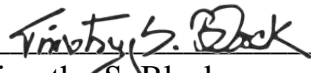
¹ The Court has reviewed Plaintiff's objections and finds they are not well taken. Plaintiff's objections request that he be permitted to amend his complaint by adding the city of Cincinnati as a defendant. However, as the Report and Recommendations explains, adding the city as a defendant does not rectify the complaint's failure to claim that any of the alleged constitutional violations listed in the complaint were pursuant to a "policy statement, ordinance, regulation or decision officially adopted and promulgated" by the city. (Doc. 4, at 6 (quoting *Aladimi v. Hamilton Cnty. Justice Ctr.*, No. 1:09cv398, 2012 WL 292587, at *7 (S.D. Ohio Feb. 1, 2012) (Bowman, M.J.)). The objections also do not refute the Magistrate Judge's reasoning for recommending dismissal of all claims against the individual defendants in this case.

all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly, **IT IS ORDERED** that:

- 1) Plaintiff's complaint (Doc. 1) is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §§ 1916(e)(2)(B) and 1915A(b)(1). The Clerk shall enter judgment accordingly, whereupon this case shall be **TERMINATED** from the docket of this Court;
- 2) 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*.
- 3) All other pending motions (Doc. 7) are **DENIED AS MOOT**.

IT IS SO ORDERED.

Date: 6/5/17



Timothy S. Black
United States District Judge