

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Joel Drain,

Petitioner,

v.

Case No. 1:17cv354

Ohio Department of Rehabilitation,  
and Correction, *et al.*,

Judge Michael R. Barrett

Respondents.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on July 20, 2017 (Doc. 8).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 8) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, this matter is **DISMISSED** for lack of prosecution.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*

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Michael R. Barrett  
United States District Judge