

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

Ira Suber,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:18cv143
vs.	:	
	:	Senior Judge Susan J. Dlott
James F. Maus,	:	
	:	
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 March 26, 2018 a Report and Recommendations (Doc. 6). Subsequently, the plaintiff filed objections to such Report and Recommendation. The Magistrate Judge issued a supplemental Report and Recommendation on April 25, 2018. Subsequently, the plaintiff filed objections to the Report and Recommendation (Doc. 14 and 18). Defendant filed a response to the objections (Doc. 16 and 19).

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, the Court adopts in its entirety the Report and Recommendation of March 26, 2018 (Doc. 6) that Plaintiff’s Declaratory Judgment Act claim is DISMISSED with prejudice for failure to state a claim upon which relief can be granted. 28 U.S.C. §§1915(e)(2)(B);

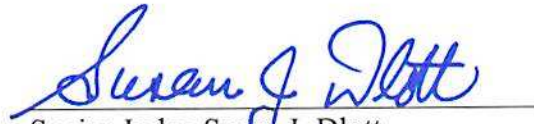
1915A(b).

The Court DISMISSES without prejudice plaintiff's claims under 42 U.S.C. §1985 and 1986, the sole federal claims presented in plaintiff's supplemental amended complaint, for failure to state a claim upon which relief can be granted. 28 U.S.C. §1915(e)(2)(B); 1915A(b).

The Court DECLINES to exercise supplemental jurisdiction over plaintiff's remaining state-law claims. The Court DISMISSES those claims without prejudice. 28 U.S.C. §1367 (c) (3).

The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that an appeal of any order adopting the Report and Recommendation will not be taken in good faith. Therefore, plaintiff is DENIED leave to *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.


Senior Judge Susan J. Dlott
United States District Court