

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

MICHAEL L. JOHNSON, : Case No. 1:21-cv-155
: Plaintiff, : Judge Matthew W. McFarland
: v. :
TERESA HILL, *et al.*, : Defendants. :

ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. 6)

This case is before the Court on the Order and Report and Recommendation (Doc. 6) filed by Magistrate Judge Stephanie K. Bowman. Plaintiff filed an Objection (Doc. 8) to the Report and Recommendation on May 24, 2021. However, his deadline to do so was May 10, 2021. Plaintiff's Objection (Doc. 8) is therefore **STRIKEN** as untimely. Regardless, the Court has made a de novo review of the record in this case as required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b). And upon said review, the Court finds that, even if Plaintiff's Objection had been filed on time, the arguments raised are not well-taken and are furthermore **OVERRULED**. The Court therefore **ADOPTS** the Report and Recommendation (Doc. 6) in its entirety and rules as follows:

1. The Complaint (Doc. 5) is **DISMISSED with prejudice** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1), except for Plaintiff's excessive force claim against Defendant J. Neff and his failure to protect claims against Defendants Teresa Hill and the three John and Jane Doe Defendants; and

2. Because this case and Case No. 1:21-cv-141 involve common questions of law and fact, the Clerk of Court is hereby **DIRECTED** to file the complaint in this action as a supplemental complaint in Case No. 1:21- cv-141 and add J. Neff, Teresa Hill, and the three unnamed John/Jane defendants as defendants in Case No. 1:21-cv-141. *See* Fed. R. Civ. P. 42(a).

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND