

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

HENRY N. HARPER,

Plaintiff,

vs.

Civil Action 2:11-CV-555  
Judge Frost  
Magistrate Judge King

WILLIAM NICHOLSON,

Defendant.

**ORDER**

On June 27, 2011, the United States Magistrate Judge recommended that this action be dismissed for lack of subject matter jurisdiction. *Report and Recommendation*, Doc. No. 4. Although plaintiff was advised of his right to object, and of the consequences of his failure to do so, there has nevertheless been no objection to the recommendation.

The Report and Recommendation is **ADOPTED and AFFIRMED**.

This action is hereby **DISMISSED**, pursuant to 28 U.S.C. §§1915(e), 1915A, for lack of subject matter jurisdiction.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT**.

Moreover, the Court concludes that an appeal from the judgment entered in the action would not be taken in good faith. See 28 U.S.C. §1915(a).

/s/ Gregory L. Frost

Gregory L. Frost  
United States District Judge