

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

MARK E. HURST,

Plaintiff,

vs.

Civil Action 2:11-CV-1090  
Judge Smith  
Magistrate Judge King

OHIO DEPARTMENT OF REHABILITATION  
AND CORRECTION, *et al.*,

Defendants.

ORDER

On December 7, 2011, the United States Magistrate Judge recommended that the Ohio Department of Rehabilitation and Correction be dismissed as a defendant. *Report and Recommendation*, Doc. No. 6. Although plaintiff was advised of his right to object to the *Report and Recommendation* and of the consequences of his failure to do so, there has been no objection.

The *Report and Recommendation*, Doc. No. 6, is **ADOPTED and AFFIRMED**. The Ohio Department of Rehabilitation and Correction is **DISMISSED** as a defendant in this action.

The action will proceed as against all other defendants.

s/George C. Smith  
George C. Smith, Judge  
United States District Court