

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

Thomas Maxwell, :  
Plaintiff : Civil Action 2:12-cv-00557  
v. : Judge Sargus  
John DesMarais, : Magistrate Judge Abel  
Defendant :  
:

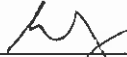
**ORDER**

Plaintiff Thomas Maxwell, a state prisoner, brings this civil rights action pursuant to 42 U.S.C. § 1983. This matter is before the Court on Magistrate Judge Abel's October 15, 2012 Initial Screening Report and Recommendation. No objections have been filed to the Report and Recommendation.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation. Plaintiff's claims alleging violations of the Americans with Disabilities Act against Warden Bradshaw and Major Mapp and his claims against defendant Sgt. Berkahart alleging violations of his First Amendment rights remain pending.

Plaintiff's claims against defendants DesMarais, Floyd, Granson, Mayo, Rose and Bernard failed to give defendants adequate notice of his claims, and these defendants are **DISMISSED**.

The Clerk of Court is DIRECTED to terminate defendants Parks, Jordan, Betha, White, Au, Coey, Thomas, Burgess, Phillips, Putt and Fannon. The complaint does not contain any allegations with respect to these defendants in regards to plaintiff Maxwell.

 11-20-2011  
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Edmund A. Sargus, Jr.  
United States District Judge