

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

Thomas Maxwell	:	
and Duane Gibson,	:	
	:	Civil Action 2:12-cv-0557
Plaintiffs	:	
	:	Judge Sargus
v.	:	
	:	Magistrate Judge Abel
John Desmarais, <i>et al.</i> ,	:	
	:	
Defendants	:	

ORDER

The October 15, 2012 Initial Screening Report and Recommendation mistakenly stated that I recommended that defendant Sgt. Berkhart be dismissed even though I concluded that plaintiff stated a claim for retaliation against him. *See* doc. 4 at 13.

Defendant Berkhart is ORDERED to answer or otherwise respond to the complaint within forty-five (45) days after being served with a copy of the complaint and summons.

s/Mark R. Abel
United States Magistrate Judge