

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Robert Austin,

Plaintiff,

v.

Case No. 2:12-cv-983

John Kasich, et al.,

Judge Michael H. Watson

Defendants.

ORDER

Magistrate Judge Kemp issued Report and Recommendations (“R&R”) in this *pro se* prisoner civil rights case recommending that Defendant Governor John Kasich’s motion to dismiss, ECF No. 12, be granted and that this case be dismissed without prejudice for failure to prosecute because Plaintiff failed to respond to the remaining Defendant Gary Mohr’s motion for summary judgment, ECF No. 37. R&Rs, ECF Nos. 17 & 39.


Magistrate Judge Kemp notified the parties of their right to file objections to the R&Rs pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). R&R 11, ECF No. 17, R&R 2–3, ECF No. 39. Magistrate Judge Kemp further specifically advised the parties that the failure to object to the R&Rs within fourteen days would result in a waiver of the right to *de novo* review by the District Judge as well as a waiver of the right to appeal the decision of the District

Court adopting the R&R. R&R 11, ECF No. 17, R&R 2–3, ECF No. 39. The deadline for filing such objections has passed, and no objections were filed.

Having received no objections, the Court **ADOPTS** the R&Rs, ECF Nos. 17 and 39, and **GRANTS** Defendant Governor John Kasich’s motion to dismiss, ECF No. 12. Plaintiff’s remaining claim against Defendant Gary Mohr is **DISMISSED WITHOUT PREJUDICE.**

The Clerk shall terminate the case.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT