UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

Aaron D. Younker

vs

Case No. C2-13-1127

Paul Berry

Judge Frost Magistrate Judge Deavers

[] **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[] **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

[X] Decision by Court. This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation is ADOPTED and this case is DISMISSED.

Date: January 13, 2014

John P. Hehman, Clerk

s/ Scott Miller By Scott Miller /Deputy Clerk