

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

**LELAND LEE BROWN,**

**Plaintiff,**

v.

**ROSS COUNTY, et al.,**

**Defendants.**

**Case No. 2:14-cv-0333**

**JUDGE GREGORY L. FROST**

**Magistrate Judge Elizabeth P. Deavers**

**OPINION AND ORDER**

This matter is before the Court for consideration of the Magistrate Judge’s September 24, 2015 Report & Recommendation (“R&R”) (ECF No. 68). In that filing, the Magistrate Judge recommended that the Court grant Defendants’ motion to dismiss for lack of prosecution (ECF No. 66) and dismiss this action pursuant to Federal Rule of Civil Procedure 41(b). The Magistrate Judge noted that Plaintiff has been unreachable, has failed to respond to pending motions, and has failed to update his address resulting in all filings mailed to Plaintiff being returned as undeliverable.

The R&R advised the parties that, if any party sought review by the District Judge, that party must file objections to the R&R within fourteen (14) days. (ECF No. 68, at PAGEID # 823.) The R&R further advised the parties that the failure to object within fourteen days would “result in a waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court.” (*Id.* (citing *Pfahler v. Nat’l Latex Prod. Co.*, 517 F.3d 816, 829 (6th Cir. 2007) and *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005)).)

The Court has reviewed the R&R. Noting that no objections have been filed, and that the time for filing such objections has expired, the Court **ADOPTS AND AFFIRMS** the R&R (ECF No. 68), **GRANTS** Defendants' motion to dismiss for lack of prosecution (ECF No. 66), and **DISMISSES** Plaintiff's complaint. The Clerk is **DIRECTED** to enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division. For the reasons set forth above and in the R&R, the Court hereby **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this Opinion & Order is not taken in good faith.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE