

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

MAURICE A. MAY-DILLARD,

Plaintiff,

vs.

Case No.: 2:14-cv-1327

JUDGE SMITH

Magistrate Judge Deavers

**OHIO DEPARTMENT OF
REHABILITATION AND
CORRECTIONS,**

Defendant.

ORDER

On August 22, 2014, the United States Magistrate Judge issued an *Order and Report and Recommendation* recommending that Plaintiff's motion to proceed *in forma pauperis* be granted, but that Plaintiff's Complaint be dismissed for failure to state a claim for which this Court can grant relief. (See Doc. 3). The parties were advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*. The Court acknowledges that Plaintiff has filed a response to the *Order and Report and Recommendation*. To the extent this could be construed as an Objection, it presents the same issues previously considered by the Magistrate Judge. Plaintiff has failed to state a claim for which this Court can grant relief.

For the reasons stated in the *Order and Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Order and Report and Recommendation*, Document 3, is **ADOPTED** and

AFFIRMED. Plaintiffs' Complaint is hereby dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) and 1914A.

The Clerk shall remove Document 3 from the Court's pending motions list. The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT