

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Nathan Mann,

Plaintiff,

v.

Case No. 2:15-cv-1724

Richard Costin, *et al.*,

Judge Michael H. Watson

Defendants.

OPINION AND ORDER

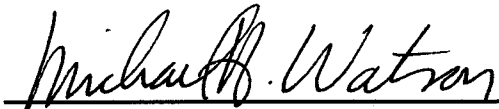
Pursuant to 28 U.S.C. § 1915(e)(2) and General Order 14-01, Magistrate Judge Deavers performed an initial screen of this case and recommended the Court dismiss the action, without prejudice to filing in state court, for failure to assert any claim over which the Court has subject matter jurisdiction. Report and Recommendation 1, ECF No. 2. Magistrate Judge Deavers concluded that Plaintiff's complaint raised only state law tort claims and that it did not provide a basis for federal jurisdiction. *Id.* at 2.

The report and recommendation ("R&R") advised the parties of their right to object and warned them that a failure to object would amount to a waiver of the right to *de novo* review by the Undersigned as well as a waiver of the right to appeal the judgment of the District Court. *Id.* at 3-4.

The deadline for filing objections has passed, and none were filed. Accordingly, the Court **ADOPTS** the R&R and **DISMISSES** the case without prejudice to filing in state court. Further, the Court **DENIES** as moot Plaintiff's

pending motion for appointment of counsel, ECF No. 3. The Clerk shall terminate ECF No. 3 and dismiss this action without prejudice to filing in state court.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT