

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

JOHN MCQUEEN,

Plaintiff,

vs.

**Case No.: 2:16-cv-344
JUDGE GEORGE C. SMITH
Magistrate Judge Vascura**

LYNN FISHER, et al.,

Defendants.

ORDER

On November 6, 2017, the United States Magistrate Judge issued a *Report and Recommendation* recommending that this case be dismissed without prejudice against Defendant Einloth pursuant to Rule 4(m) for failure to timely effect service of process. (*See Report and Recommendation*, Doc. 26). 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 *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This case is hereby **DISMISSED WITHOUT PREJUDICE** against Defendant Einloth.

The Clerk shall remove Document 26 from the Court's pending motions list.

IT IS SO ORDERED.

/s/ George C. Smith

**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**