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

RICO ISAIH HAIRSTON,

Plaintiff,

v.

Case No. 2:17-cv-421
Chief Judge Edmund A. Sargus, Jr.
Magistrate Judge Chelsey M. Vascura

ALLAN HARRIS, *et al.*,

Defendants.

ORDER

This matter is before the Court for consideration of Plaintiff's Objection to the Magistrate Judge's November 27, 2017 Order and Report and Recommendation. (ECF No. 15.) The Magistrate Judge recommended dismissal of Plaintiff's Complaint. For the reasons below, the Court **OVERRULES** Plaintiff's Objection (ECF No. 16.) and **ADOPTS** the Order and Report and Recommendation. (ECF No. 15.)

Plaintiff, proceeding *pro se*, initiated this action on May 16, 2017. Acknowledging the difficulty in interpreting Plaintiff's claims, the Magistrate Judge identified five allegations made by Plaintiff. In his Objection, Plaintiff only appears to Object to the Magistrate's dismissal of two of his allegations – that Plaintiff received an excessive sentence and that his parole officer enforced and imposed a period of supervision. In the Order Report and Recommendation, the Magistrate Judge correctly dismissed Plaintiff's claims as barred by the *Heck* doctrine because Plaintiff cannot demonstrate his conviction or sentence has been invalidated. *Heck v. Humphrey*, 512 U.S. 447, 487 (1994); *see also Edwards v. Balisok*, 520 U.S. 641, 646 (1997).

Accordingly, the Report and Recommendation (ECF No. 15) is **ADOPTED**, Plaintiff's Objection is **OVERRULED** (ECF No. 16), and his Complaint is **DISMISSED with prejudice**.

IT IS SO ORDERED.

1-5-2018
DATE

EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE