

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

ROY FALLS-BEY,

Plaintiff,

vs.

**Case No.: 2:17-cv-1103
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

WARDEN BRIAN COOK, et al.,

Defendants.

ORDER

On February 28, 2018, the United States Magistrate Judge issued a *Report and Recommendation* recommended that Defendant State of Ohio be dismissed from this lawsuit and that Plaintiff be permitted to proceed on his claims against the remaining Defendants. (*See Report and Recommendation*, Doc. 8). 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**. Defendant, the State of Ohio, is hereby dismissed from this lawsuit. Further, Plaintiff is hereby permitted to proceed on his claims against the remaining Defendants.

The Clerk shall remove Document 8 from the Court's pending motions list.

IT IS SO ORDERED.

/s/ George C. Smith
**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**