

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DEMARICK C. LEWIS,

Plaintiff,

v.

Case No. 2:17-mc-45

OHIO, et al.,

Judge Michael H. Watson

Defendants.

Magistrate Judge Jolson

OPINION AND ORDER

Demarick C. Lewis ("Plaintiff") filed a motion for leave to proceed *in forma pauperis*, ECF No. 1, along with an affidavit titled "Declaration of Nationality," on July 26, 2017. Plaintiff has not filed a complaint or other pleading with the affidavit. Magistrate Judge Jolson conducted an initial screen of this case on July 31, 2017, pursuant to 28 U.S.C. § 1915(e)(2) and issued a report and recommendation ("R&R") recommending the Court dismiss the action for failure to state a claim on which relief may be granted. R&R, ECF No. 3. Magistrate Judge Jolson found that "Plaintiff fails to allege any coherent facts and it is unclear what relief, if any, is sought."

The R&R also detailed the procedures Plaintiff must follow to object to the R&R, which included an explanation of the rule that objections must be filed within fourteen (14) days of the date of the R&R. Plaintiff filed an untimely objection to the R&R on August 24, 2017. ECF No. 4. "A failure to file timely objections not only waives the right to de novo review of a Magistrate Judge's

Report and Recommendation, but dispenses with the need for the district court to conduct any review.” *Jones v. Warden, Ross Corr. Inst.*, No. 2:11-cv-0871, 2013 U.S. Dist. LEXIS 169658, at *5 (S.D. Ohio Dec. 2, 2013) (citations omitted).

Because Plaintiff’s objection was untimely filed, the Court need not undertake a review of the R&R.

Therefore, Plaintiff’s objection is **OVERRULED**, the R&R is **ADOPTED AND AFFIRMED**, and the case is **DISMISSED WITH PREJUDICE** for failure to state a claim on which relief may be granted.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT