

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

John Louis Turner, Jr.,

Plaintiff,

v.

Case No. 2:18-cv-1322

State of Ohio, et al.,

Judge Michael H. Watson

Defendants.

Magistrate Judge Vascura


OPINION AND ORDER

On October 29, 2018, the Magistrate Judge issued a Report and Recommendation (R&R) granting John Louis Turner Jr.'s ("Plaintiff's) motion to proceed in forma pauperis and recommending that this action be dismissed pursuant to 28 U.S.C. § 1915(e)(2). ECF No. 3. On November 2, 2018, Plaintiff filed a second motion to proceed in forma pauperis, ECF No. 4, seeking to "refile" the motion, but he did not raise any objection to the Magistrate Judge's R&R.

The R&R notified the parties of their right to file objections to the R&R pursuant to 28 U.S.C. § 636(b)(1). R&R 10, ECF No. 3. The R&R further advised the parties that the failure to object to the R&R within fourteen days would result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the decision of the District Court adopting the R&R. *Id.* The deadline for filing such objections has passed, and no objections were filed.

Having received no objections, the R&R is **ADOPTED**. Plaintiff's Complaint is **DISMISSED** for failure to state a claim, and his state-law claims are **DISMISSED WITHOUT PREJUDICE** to re-filing in state court. Plaintiff's second motion to proceed in forma pauperis is **DENIED AS MOOT**. ECF No. 4. The Clerk is directed to issue final judgment and close this case.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT