

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

HOMER HENDRIX, III,

Plaintiff,

vs.

**Case No.: 2:19-cv-1348
JUDGE GEORGE C. SMITH
Magistrate Judge Vascura**

**OHIO DEPARTMENT OF
REHABILITATION AND
CORRECTIONS, et al.,**

Defendants.

ORDER

On May 30, 2019, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the Court dismiss Plaintiff's federal claims for failure to state a claim on which relief may be granted pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) and dismiss Plaintiff's state-law claims without prejudice to filing in state court. (*See Report and Recommendation*, Doc. 5). 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**. Plaintiff's Complaint is hereby dismissed. Plaintiff's federal claims are hereby dismissed pursuant to 28 U.S.C. §§1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted. Further, Plaintiff's state law claims are hereby dismissed without prejudice to filing in state court.

The Clerk shall remove Document 5 from the Court's pending motions list and close this case.

IT IS SO ORDERED.

/s/ George C. Smith

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT