

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

Nikkita Marie Amaker,

Plaintiff,

v.

State of Ohio, et al.,

Defendants.

Case No. 2:22-cv-2688

Judge Michael H. Watson

Magistrate Judge Vascura

ORDER

Magistrate Judge Vascura performed in initial screen of this case pursuant to 28 U.S.C. § 1915(e)(2). After performing the initial screen, the Magistrate Judge issued a Report and Recommendation (“R&R”) that recommended the Court dismiss this case for lack of subject-matter jurisdiction. R&R, ECF No. 4. In response to the R&R, Plaintiff filed an Amended Complaint. Am. Compl., ECF No. 5.

After mail from the Court was returned as undeliverable to Plaintiff at the address she provided, Magistrate Judge Vascura issued an order directing Plaintiff to file an updated address.¹ Order, ECF No. 7. Plaintiff updated her address with the Court, and the Magistrate Judge ordered the Clerk to mail Plaintiff a copy of the R&R at Plaintiff’s updated address. Order, ECF No. 10. At

¹ It further stated, “if Plaintiff experiences a change of address at any future date during the pendency of this matter, she must provide the Court with an updated address.” Order 2, ECF No. 7.


the same time, the Magistrate Judge extended Plaintiff's deadline for objecting to the R&R. However, the R&R was again returned as undeliverable. ECF No. 11.

Accordingly, the Magistrate Judge issued a second R&R, this time recommending the Court dismiss Plaintiff's case with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. R&R, ECF No. 12. That R&R was also mailed to Plaintiff at her most recent address. The R&R notified Plaintiff of her right to object to the recommendation contained therein and warned Plaintiff that a failure to timely object would amount to a forfeiture of her right to de novo review by the Undersigned as well as her right to appeal the Undersigned's decision adopting the R&R. *Id.*

The deadline for objecting has passed, and Plaintiff failed to timely object. Accordingly, the Court **ADOPTS** the R&R without further review and **DISMISSES** Plaintiff's Amended Complaint **WITH PREJUDICE** for failure to prosecute.

The Clerk shall enter judgment for Defendants and terminate this case.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT