

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CHARLES HARDEN,

Plaintiff,

vs.

MICHAEL BUSH, et al.,

Defendants.

:

Case No. 3:06cv248

:

3:08cv096

:

JUDGE WALTER HERBERT RICE

:

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE (DOC. #53) IN THEIR ENTIRETY; PLAINTIFF'S OBJECTIONS TO SAID REPORT AND RECOMMENDATIONS (DOC. #54) OVERRULED; PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (DOC. #46) OVERRULED; DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (DOC. #48) SUSTAINED; JUDGMENT TO BE ENTERED IN FAVOR OF THE REMAINING DEFENDANT AND AGAINST PLAINTIFF; TERMINATION ENTRY

Pursuant to the reasoning and citations of authority set forth by the United States Magistrate Judge in her Report and Recommendations, filed April 16, 2009 (Doc. #53), as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court adopts said Report and Recommendations in their entirety, and overrules the Plaintiff's Objections thereto (Doc. #54). The Plaintiff's Motion for Summary Judgment (Doc. #46) is overruled; the Defendant's Motion for Summary Judgment (Doc. #48) is sustained; judgment will be ordered entered in

favor of the sole remaining Defendant and against Plaintiff.

The captioned cause (as well as the case consolidated therewith,
3:08cv096) is hereby ordered terminated upon the docket records of the United
States District Court for the Southern District of Ohio, Western Division, at Dayton.

/s/ Walter Herbert Rice

June 12, 2009

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Charles Harden, Pro Se Plaintiff
Gregory Dunskey, Esq.