

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WAYNE DOYLE,

Plaintiff,

Case No. C-3-07-0003

-vs-

District Judge Thomas M. Rose

**CLARK COUNTY PUBLIC
LIBRARY, et al.,**

Defendant.

ENTRY AND ORDER ADOPTING CHIEF MAGISTRATE JUDGE MERZ'S SUBSTITUTE REPORT AND RECOMMENDATIONS (DOC. #65) AND CORRECTION OF REPORT AND RECOMMENDATIONS (DOC. #66) OVERRULING AND DENYING PLAINTIFF'S OBJECTIONS AND MOTIONS (DOC. #67) DISMISSING PLAINTIFF'S COMPLAINT, TERMINATION ENTRY

This matter comes before the Court pursuant to Plaintiff's pleading filed July 30, 2007 entitled "Motions" (Doc. #67) which is comprised of a "Motion for: (Objection) To Any And All Of The Recommendations and Orders Handed Down By This Court and including 7/2 (Doc. #57) 7/7 (Doc. #65) 2007," "Motion: For The Court Docket To Be Corrected To Reflect (All) Of The Filing's And Orders Filed With This Court," "Motion For Finding Of Fact And Conclusion Of Law Concerning (All) of Magistrate Merz Reports And Recommendations", "Motion For: A Definite Statement (Clarity) Concerning the 6/21/2007, 7/5/2007, 7/17/2007, Court Entrys", "Motion for: This Case to be Transferred to Columbus, Ohio" and "Motion For Magistrate Merz To Be Disqualified and Removed As Judge fore too many (mistakes) have been made by Judge Merz to afford Plaintiff Wayne Doyle a fair trial".

The Court would note that these Motions (#67), with the exception of the Objections are identical to the Motion pleading (Doc. #64) filed by Plaintiff on July 2, 2007 which was addressed by Chief Magistrate Judge Merz's Substitute Report and Recommendations (Doc. #65) and Corrected Report and Recommendations (Doc. #66) filed July 5, 2007 and July 17, 2007, respectively. It would also note that these Motions contained in this pleading (Doc. #67) and previously contained in Plaintiff's pleading (Doc. #64) were considered by the Chief Magistrate

Judge Merz and were addressed in the Substituted Report and Recommendations (Doc. #65) and Corrected Substitute Report and Recommendations (Doc. #66) which are the subject of Plaintiff's Pleading/Objections (Doc. #67) being considered by the Court.

This Court has reviewed the comprehensive findings of the Chief Magistrate Judge Michael R. Merz in the Substitute Report and Recommendations (Doc. #65) as corrected by Corrected Substitute Report and Recommendations (Doc. #66) and pursuant to 28 U.S.C. Section 636(b) and Fed. R. Civ.P. 72(b), this Court has made a de novo review of the record in this case. Upon consideration of the foregoing, the Court finds Plaintiff's Objections (Doc. #67) not well-founded and are hereby OVERRULED.

The Court ADOPTS the Chief Magistrate Judge's Substituted Report and Recommendations (Doc. #65) as corrected by his Corrected Substitute Report and Recommendations (Doc. #66) in its entirety. In adopting the Substituted Report and Recommendations as corrected, the Court also ADOPTS the Chief Magistrate Judge's Recommendations with regard to the Motions contained in the Plaintiff's previous pleadings (Doc. #64) and now repeated verbatim in the pleading before the Court (Doc. #67).

Therefore, the Court DENIES Plaintiff's "Motion: For the Court Docket to be Corrected to Reflect (All) Of The Filings And Orders Filed With This Court", "Motion For: Finding Of Fact And Conclusion Of Law Concerning (All) of Magistrate Merz Reports And Recommendations, Motion For A Definite Statement (Clarity) Concerning the 6/21/2007, 7/5/2007, 7/17/2007, Court Entrys", "Motion For: This Case to be Transferred to Columbus, Ohio" and "Motion For Magistrate Merz To Be Disqualified and Removed As Judge fore too many (mistakes) have been made by Judge Merz to afford Plaintiff Wayne Doyle a fair trial".

It is further ORDERED that Plaintiff's Complaint be DISMISSED and this case TERMINATED on the docket of this Court.

August 20, 2007

s/**THOMAS M. ROSE**

THOMAS M. ROSE, JUDGE
UNITED STATES DISTRICT COURT