

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

WAYNE DOYLE

Plaintiff,

Case No. C-3-07-003

Judge Thomas M. Rose

-v-

CLARK COUNTY PUBLIC LIBRARY,
et al.,

Defendants.

ENTRY AND ORDER OVERRULING DEFENDANT WAYNE DOYLE'S OBJECTIONS (Doc. #81) TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #80) REGARDING DOYLE'S MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS*; ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS IN ITS ENTIRETY; AND TERMINATING THIS CASE

This matter is before the Court pursuant to Plaintiff Wayne Doyle's ("Doyle's") objections to the Report and Recommendations (doc. #80) of Chief Magistrate Judge Michael R. Merz regarding Doyle's Motion for Leave To Appeal *In Forma Pauperis* (doc. #79). The Defendants have responded to Doyle's Objections and argue that his objections are without merit. (Doc. #82.) The Objections are, therefore, ripe for decision.

Doyle filed a Notice of Appeal on September 5, 2007. Accompanying this Notice of Appeal is an Affidavit requesting that his appeal be taken *In Forma Pauperis*. The Affidavit identifies the five "issues" that he wants to appeal.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Doyle's objections (doc. #81) to Magistrate Judge Merz's Report and

Recommendations (doc. #80) are not well-taken, and they are hereby OVERRULED.

Magistrate Judge Merz's Report and Recommendations (doc. #80) is ADOPTED in its entirety. Doyle's Motion for Leave To Appeal *In Forma Pauperis* is OVERRULED. The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Second day of October, 2007.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record