

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

LARRY E. EALY,

Plaintiff,

vs.

JOHN DANISH, et al.,

Defendants.

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Case No. 3:08cv386

JUDGE WALTER HERBERT RICE

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE (DOC. #25) IN THEIR ENTIRETY; PLAINTIFF’S OBJECTIONS TO SAID JUDICIAL FILING, CONSTRUED AS TIMELY FILED (DOC. #26), OVERRULED; PLAINTIFF’S REQUEST FOR TEMPORARY RESTRAINING ORDER (DOC. #2) OVERRULED; REQUEST FOR THREE-JUDGE PANEL TO HEAR ALLEGATIONS CONTAINED IN THE RESTRAINING ORDER (DOC. #26) OVERRULED; PLAINTIFF’S REQUEST TO AMEND PETITION REFERRED TO MAGISTRATE JUDGE

Pursuant to the reasoning and citations of authority set forth in the Report and Recommendations of the United States Magistrate Judge (Doc. #25), as well as upon a thorough review of the Court’s file and the applicable law, said Report and Recommendations are adopted in their entirety. The Plaintiff’s Objections to said judicial filing, construed as timely (Doc. #26), are overruled. Plaintiff’s Request for a Temporary Restraining Order (Doc. #2) is overruled.

Plaintiff's Request for a Three-Judge Panel to hear allegations contained in the Restraining Order (Doc. #26) is overruled. Plaintiff's Request to Amend Petition with attachments (Doc. #26) is referred to the United States Magistrate Judge.

The captioned cause remains open on the docket records of this Court.

/s/ Walter Herbert Rice

January 30, 2009

WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies mailed to:

Larry Ealy, *Pro Se* Plaintiff

All Counsel of Record