

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

EARL RICHARDSON,	:	
	:	
Plaintiff,	:	Case No. 3:09-cv-455
	:	
- vs -	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
Industrial Commission of Ohio, et al.,	:	
	:	
Defendants.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #40), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

It is hereby ORDERED that Plaintiff's Motion for *in forma pauperis* status is DENIED. The Court also certifies to the United States Court of Appeals that Plaintiff's appeal is objectively frivolous.

December 9, 2013.

\*s/Thomas M. Rose

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Thomas M. Rose  
United States District Judge