

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

COY PHELPS,

Plaintiff,

-v-

RION MACCONNELL, et al.,

Defendants.

Case No. 3:12-cv-344

Judge Thomas M. Rose

Chief Magistrate Judge Sharon L. Ovington

**ENTRY AND ORDER OVERRULING PHELPS' OBJECTIONS (Doc. #27)
TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS REGARDING MacCONNELL'S MOTIONS TO
DISMISS AND FOR ATTORNEYS' FEES; ADOPTING THE CHIEF
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc.
#26) IN ITS ENTIRETY; GRANTING MacCONNELL'S MOTION TO
DISMISS AND DENYING MacCONNELL'S MOTION FOR
ATTORNEYS' FEES**

Pro Se Plaintiff Coy Phelps ("Phelps") brought this action against Defendants Rion MacConnell ("MacConnell"), Heather F. Green and U.S. Mint Green, Ltd., to recover damages for various alleged wrongs. On March 25, 2013, MacConnell filed Motions To Dismiss (doc. #16) and for attorneys' fees (doc. #17).

On September 11, 2013, Chief Magistrate Judge Sharon L. Ovington issued a Report and Recommendations recommending that MacConnell's Motion To Dismiss be granted and that MacConnell's Motion for Attorneys' Fees be denied. Phelps subsequently objected to this Report and Recommendations. (Doc. #27.) The time has run and MacConnell has not responded to Phelps' Objections. This matter is, therefore, ripe for decision.

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 Phelps' Objections to the Chief Magistrate Judge's Report and Recommendations regarding MacConnell's Motions To Dismiss and for attorneys' fees are not well-taken, and they are hereby OVERRULED. The Chief Magistrate Judge's Report and Recommendations is adopted in its entirety.

MacConnell's Motion To Dismiss (doc. #16) is granted. MacConnell's Motion for Attorneys' Fees (doc. #17) is denied.

DONE and ORDERED in Dayton, Ohio, this Seventeenth Day of October, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Coy Phelps at his last address of record