

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

| | | |
|--------------------------------|---|------------------------|
| RION T. MCCONNELL, | : | Case No. 3:13-cv-34 |
| | : | |
| Plaintiff, | : | Judge Timothy S. Black |
| | : | |
| vs. | : | |
| | : | |
| NAPHCARE, INC. <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

DECISION AND ENTRY: (1) ADOPTING THE REPORTS AND RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Docs. 46, 47, 48); (2) GRANTING DEFENDANTS' MOTIONS TO DISMISS (Docs. 24, 26, 27); (3) DENYING PLAINTIFF'S MOTION TO AMEND (Doc. 19) AS FUTILE; (4) OVERRULING PLAINTIFF'S OBJECTIONS (Doc. 49); AND (5) TERMINATING THIS CASE ON THE COURT'S DOCKET

This case is before the Court on three Reports and Recommendations of United States Magistrate Judge Sharon L. Ovington. (Docs. 46, 47, 48). In her Reports and Recommendations, the Magistrate Judge recommends: (1) that the Motion to Dismiss filed by the Montgomery County Sheriff (Doc. 26) should be granted; (2) that the Motion to Dismiss filed by Defendant Montgomery County (Doc. 24) should be granted and that Plaintiff's Motion to Amend the Complaint (Doc. 19) should be denied as futile; and (3) that the Motion to Dismiss filed by Defendants Naphcare, Inc. and Anthony Dressler (Doc. 27) should be granted and that claims against the unnamed Jane and John Doe Defendants should be dismissed. (Docs. 46, 47, 48). Plaintiff filed Objections. (Doc. 49). Defendants filed Responses to Plaintiff's Objections. (Docs. 50, 51). These issues are now ripe for decision by the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), upon reviewing the filings of the parties and the comprehensive findings of the Magistrate Judge *de novo*, the Court: (1) **ADOPTS** the Reports and Recommendations of the Magistrate Judge in their entirety (Docs. 46, 47, 48); (2) **GRANTS** Defendants' Motions to Dismiss (Docs. 24, 26, 27); (3) **DENIES** Plaintiff's Motion to Amend (Doc. 19) as futile; (4) **OVERRULES** Plaintiff's Objections (Doc. 49); and (5) directs the Clerk to enter judgment accordingly and **TERMINATES** this case on the Court's docket.

IT IS SO ORDERED.

Date: 11/27/13

/s/ Timothy S. Black
Timothy S. Black
United States District Judge