

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

TERRY LOUIS HERCUTT,	:	Case No. 3:13-cv-162
Plaintiff,		District Judge Walter H. Rice Magistrate Judge Michael J. Newman
v.	:	
JUDGE DENISE L. CROSS, <i>et al.</i> ,		
Defendants.	:	


**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATION (DOC. #11)
IN ITS ENTIRETY; OVERRULING PLAINTIFF'S OBJECTIONS (DOC. #12) TO THE
REPORT AND RECOMMENDATION; GRANTING DEFENDANTS' JOINT MOTION
TO DISMISS (DOC. #4); DISMISSING PLAINTIFF'S COMPLAINT; DENYING
PLAINTIFF'S MOTION (DOC. #6) AS MOOT; TERMINATION ENTRY**

Based upon the reasoning and citations of authority set forth by United States Magistrate Judge Michael J. Newman in his Report and Recommendation filed August 12, 2013 (Doc. #11), as well as upon a thorough *de novo* review of this Court's file and the applicable law, this Court adopts the aforesaid Report and Recommendation in its entirety, and overrules Plaintiff's Objections (Doc. #12) thereto.

Defendants' joint motion to dismiss (Doc. #4) is granted; and Plaintiff's complaint is dismissed. In addition, Plaintiff's motion "for [an] Order to stop Judge Denise Cross and Magistrate Annette Wright from presiding over any hearing or harassing the Plaintiff in any[] way" (Doc. #6) (capitalization altered) is denied as moot.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: 9-3-13



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT