

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

LAMAR CHAMBERS, <i>et al.</i> ,	:	
Plaintiffs,		
v.	:	Case No. 3:13-CV-279
WEST CARROLLTON POLICE DEPARTMENT,	:	JUDGE WALTER H. RICE
Defendant.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #13);
OVERRULING PLAINTIFFS' OBJECTIONS THERETO (DOC. # 14);
SUSTAINING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
(DOC. #9); JUDGMENT TO ENTER IN FAVOR OF DEFENDANT AND
AGAINST PLAINTIFFS; TERMINATION ENTRY

Based on the reasoning and citations of authority set forth by Chief United States Magistrate Judge Sharon L. Ovington in her April 21, 2014, Report and Recommendations, Doc. #13, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS the Report and Recommendations in their entirety.

Plaintiffs' Objections thereto, Doc. #14, are OVERRULED. Although Lamar Chambers claims that he was not aware of everything that took place until he was released from the hospital on August 21, 2011, he has presented no evidence to contradict Officer Robert Bell's Affidavit stating that Chambers had contacted the

West Carrollton Police Department on August 17, 2011, to discuss the search of his residence. Doc. #9-1, PageID#44.

The Court agrees with Magistrate Judge Ovington that Plaintiffs' claims accrued on August 17, 2011. Because the Complaint was not filed until August 21, 2013, more than two years later, the claims are time-barred. Accordingly, Defendant's Motion for Summary Judgment, Doc. #9, is SUSTAINED on that basis.

Judgment will be entered in favor of Defendant and against Plaintiffs.

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: May 9, 2014



WALTER H. RICE
UNITED STATES DISTRICT JUDGE