

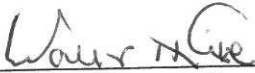
Circuit Court of Appeals, rather than re-filing the identical lawsuit in this Court. Because the earlier case was decided on the merits, Plaintiff's re-filed claims are barred by the doctrine of *res judicata* and are subject to dismissal with prejudice on that basis.

For these reasons, the Court OVERRULES Plaintiff's Objections, Doc. #8, to the Report and Recommendations, OVERRULES Plaintiff's Motion for Relief of Judgment or Order, Doc. #6, and DISMISSES the above-captioned case WITH PREJUDICE. The Court further certifies to the Sixth Circuit that any appeal of this decision would be objectively frivolous.

Judgment shall be entered in favor of Defendant and against Plaintiff.

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: September 1, 2015



WALTER H. RICE
UNITED STATES DISTRICT JUDGE