

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

RONALD MOSLEY, :
Plaintiff, :
v. : Case No. 3:15-cv-275
DAYTON POWER & LIGHT, : JUDGE WALTER H. RICE
Defendant. :

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #3);
OVERRULING PLAINTIFF'S OBJECTIONS THERETO (DOC. #4);
DISMISSING COMPLAINT (DOC. #2) WITHOUT PREJUDICE FOR
LACK OF SUBJECT MATTER JURISDICTION; JUDGMENT TO ENTER
IN FAVOR OF DEFENDANT AND AGAINST PLAINTIFF; TERMINATION
ENTRY

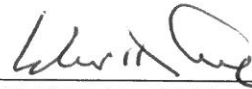
Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz in his August 17, 2015, Report and Recommendations, Doc. #3, as well as on a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. Plaintiff's Objections, Doc. #4, are OVERRULED as non-responsive to the bases for the Report and Recommendations.

Plaintiff's Complaint, Doc. #2, is DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction.

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: August 31, 2015



WALTER H. RICE
UNITED STATES DISTRICT JUDGE