

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES RICHARD JOHNSON,	:	Case No. 3:15-cv-447
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael J. Newman
v.	:	
	:	
THE STATE OF OHIO, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 5)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael J. Newman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on January 19, 2016, submitted a Report and Recommendation (Doc. 5). No objections were filed.

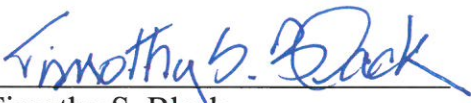
As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety. Accordingly:

1. The Report and Recommendation (Doc. 5) is **ADOPTED**;
2. Plaintiff's Complaint (Doc. 3) is **DISMISSED** with prejudice pursuant to 28 U.S.C. Section 1915(e), for failure to state a claim;

3. Plaintiff's request for injunctive relief (Doc. 2) is **DENIED**;
4. The Court certifies that pursuant to 28 U.S.C. Section 1915(a)(3), an appeal of this Order would not be taken in good faith and therefore Petitioner is denied leave to appeal *in forma pauperis*; and
5. The Clerk shall enter judgment accordingly, whereupon this civil action is **TERMINATED** in this Court.

IT IS SO ORDERED.

Date: 2/18/16



Timothy S. Black
United States District Judge