

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

CLARK BRUNSON, JR.,	:	
	:	
Plaintiff,	:	
	:	Case No. 3:16cv00368
vs.	:	
	:	District Judge Thomas M. Rose
MONTGOMERY COUNTY, <i>et al.</i> ,	:	Magistrate Judge Sharon L. Ovington
	:	
Defendants.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #26), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations docketed on August 3, 2017 (Doc. #26) is **ADOPTED** in full;
2. The Motion to Withdraw Plaintiff's Pro Se Proposed Amended Complaint and Leave to File Amended Complaint (Doc. # 23) is granted, in part, and Plaintiff's proposed Amended Complaint (Doc. #24) is accepted as filed with the exception of Count III, which is dismissed under Fed. R. Civ. P. 12(b)(6);
3. Defendant's Motion to Dismiss (Doc. #9) is denied as moot; and

4. Plaintiff's pro se Motion for Leave to Amend (Doc. #12) is denied as withdrawn and moot.

August 18, 2017

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge