

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

KENNETH S. HARTZELL,	:	
Plaintiff,	:	
v.	:	Case No. 3:17-cv-63
MIAMI COUNTY	:	JUDGE WALTER H. RICE
INCARCERATION FACILITY,	:	
Defendant.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #14);  
DISMISSING COMPLAINT (DOC. #1) WITHOUT PREJUDICE;  
JUDGMENT TO ENTER IN FAVOR OF DEFENDANT AND AGAINST  
PLAINTIFF; TERMINATION ENTRY

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael J. Newman in his Report and Recommendations, Doc. #14, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. Although Plaintiff was notified of his right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections have been filed within the time allotted.

Accordingly, the Court DISMISSES Plaintiff's Complaint, Doc. #1, WITHOUT PREJUDICE to refile.

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 29, 2017



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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE