

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

WARREN EASTERLING,

Plaintiff,

vs.

JEFFREY SESSIONS,

Defendant.

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Case No. 3:17cv101

JUDGE WALTER H. RICE

DECISION AND ENTRY ADOPTING INITIAL (DOC. #4) AND
SUPPLEMENTAL (DOC. #7) REPORTS AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE JUDGE; PLAINTIFF’S OBJECTIONS TO
SAID JUDICIAL FILINGS (DOC. #5 AND #8) OVERRULED; CAPTIONED
CAUSE DISMISSED AS FRIVOLOUS, WITH PREJUDICE TO A NEW
ACTION; JUDGMENT SHALL ENTER IN FAVOR OF DEFENDANT AND
AGAINST PLAINTIFF, DISMISSING THE CAPTIONED CAUSE WITH
PREJUDICE; TERMINATION ENTRY

Pursuant to the reasoning and citations of authority set forth by the United States Magistrate Judge, in his Initial (Doc. #4) and Supplemental (Doc. #7) Reports and Recommendations, as well as upon a thorough *de novo* review of this Court’s file and the applicable law, this Court adopts said Reports and Recommendations in their entirety and, in so doing, overrules the Plaintiff’s Objections to said judicial filings (Doc. #5 and #8). In short, the Plaintiff’s Complaint is at odds with both law and fact. As such, it is frivolous as a matter of law. *Denton v. Hernandez*, 504 U.S. 25 (1992); *Neitzke v. Williams*, 490 U.S. 319 (1989).

WHEREFORE, based upon the aforesaid, this Court having adopted the Reports and Recommendations of the United States Magistrate Judge and, further, having overruled the

Plaintiff's Objections to said judicial filings, dismisses the captioned cause, as frivolous, with prejudice to a new action.

Judgment shall enter in favor of Defendant and against Plaintiff, dismissing the captioned cause with prejudice.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

April 18, 2017

Copies to:

Counsel of record
Laura Sebulsky, U.S. Probation Officer