

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

Byron T. Hurst, Sr.,

*Plaintiff,*

v.

Case No. 3:17-cv-356  
Judge Thomas M. Rose  
Mag. Judge Michael J. Newman

Department of Veterans Affairs, *et al.*,

*Defendants.*

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**DECISION AND ORDER ADOPTING REPORT AND  
RECOMMENDATIONS, (ECF 5), AND DENYING PLAINTIFF'S  
OBJECTIONS. (ECF 6).**

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This case is before the Court on Magistrate Judge Michael J. Newman's Report and Recommendations, (ECF 5), Objection of Plaintiff Byron T. Hurst, Sr. (ECF 6). The Report and Recommendation suggests dismissing Plaintiff's employment discrimination claim for failure to promptly seek administrative remedies. Plaintiff's objection confirms that his E.E.O.C. complaint was late.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that the objection, (ECF 6), is not well taken and is hereby **DENIED**. Wherefore, the Court **ADOPTS IN FULL** the Magistrate Judge's Report and Recommendations, (ECF 5), and **TERMINATES** the instant case from the dockets of the United States District Court for the Southern District of Ohio, Western Division at Dayton.

**DONE and ORDERED** this Friday, January 19, 2018.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE