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

CHRISTOPHER HICKS,	:	
Plaintiff,	:	Case No. 1:20-cv-680
vs.	:	Judge Jeffery P. Hopkins
D. VINCENT FARRIS, et al.,	:	
Defendants.	:	

ORDER ADOPTING REPORT AND RECOMMENDATION

In her August 30, 2024, Report and Recommendation (Doc. 81), Magistrate Judge Stephanie K. Bowman recommends that this Court issue a declaratory judgment and permanent injunction in favor of Plaintiff Christopher Hicks and against the Defendant Ohio Attorney General to preclude enforcement of Ohio Rev. Code § 2917.21(A)(5) that, as a applied, would criminalize the sending of emails to Hicks' elected representative, Jeannie Zurmehly, who holds public office as the Clermont County Treasurer. In the R&R, the Magistrate Judge advised the parties of their right to file written objections and that failure to do so may forfeit rights on appeal. Doc. 81, PageID 1031 (citing *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981)). Notably, no objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired.

Having carefully reviewed the comprehensive findings and conclusions of the Magistrate Judge and finding no clear error, the Court hereby **ADOPTS** the Report and Recommendation in its entirety. *See* Fed. R. Civ. P. 72 (advisory committee notes) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the

fact of the record in order to accept the recommendation"); *see e.g., Roane v. Warden of Corr. Reception Ctr.*, No. 2:22-cv-2768, 2022 WL 16535903, at *1 (S.D. Ohio Oct. 28, 2022). Accordingly, the Clermont County Prosecutor's motion for summary judgment (Doc. 42) is **GRANTED**, Hick's motion for summary judgment (Doc. 57) is **GRANTED IN PART** and **DENIED IN PART**, and the Ohio Attorney General's motion for summary judgment (Doc. 41) is **DENIED**. The Ohio Attorney General is hereby **ENJOINED** from enforcing § 2917.21(A)(5) in a content-specific fashion to Hick's use of Zurmehly's government email for topics that she declares to be outside the scope of her elected duties.

The Clerk is **DIRECTED** to enter judgment accordingly.

IT IS SO ORDERED.

Dated: September 26, 2024

United States District Judge