

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION**

State ex rel. Darlrel Orr v. Eighth District Court of Appeals

Orr · No. 1:25-cv-803 · Decided November 24, 2025

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION STATE ex rel. DARLLEL ORR, Plaintiff, v. Civil Action 1:25-cv-803 Judge Susan J. Dlott Magistrate Judge Chelsey M. Vascura EIGHTH DISTRICT COURT OF APPEALS, Defendant. ORDER and REPORT AND RECOMMENDATION This matter is before the Court on Plaintiff's Motion to Correct the Record. (ECF No. 4.)

Plaintiff explains that he intended to file this action in the Ohio Supreme Court but mistakenly filed here due to issues with the filing system at the state facility where he is incarcerated. He asks this Court to transfer this case to the Ohio Supreme Court. Plaintiff's Motion is DENIED. Federal courts cannot transfer cases to state courts.

In addition, because Plaintiff's action was filed in the wrong court system, it is RECOMMENDED that this case is DISMISSED without prejudice so that Plaintiff may refile in the appropriate state court. IT IS SO ORDERED. /s/ Chelsey M. Vascura CHELSEY M. VASCURA UNITED STATES MAGISTRATE JUDGE PROCEDURE ON OBJECTIONS If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s).

A District Judge of this Court shall make a de novo determination of those portions of the Report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a District Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions.

28 U.S.C. § 636(b)(1). The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation de novo, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir.

1981).

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