

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

STEVE ANCTIL, JR.)	
)	
Plaintiff,)	
)	
v.)	1:16-cv-00107-JAW
)	
COMMISSIONER JOSEPH)	
FITZPATRICK, et al.)	
)	
Defendants.)	

ORDER AFFIRMING RECOMMENDED DECISION

On February 5, 2018, Steve Anctil, Jr. filed a motion for preliminary injunction and motion for temporary restraining order against the Defendants to “ensure that his designated legal mail is no longer opened outside of his presence[,], read and, or photocopied by prison staff.” *Mem. of Law in Support of Pl.’s Mot. for a TRO and Prelim. Inj.* at 1 (ECF No. 83). On February 20, 2018, the Defendants responded to Mr. Anctil’s motions. *Opp’n to Mot. for TRO and Prelim. Inj.* (ECF No. 84). On April 10, 2018, the Magistrate Judge issued a recommended decision, recommending that the Court deny the motions. *Recommended Decision on Pl.’s Mot. for Injunctive Relief* (ECF No. 88).

Any objection from Mr. Anctil to the recommended decision was initially due within fourteen days of being served with the a copy of the recommended decision. *Id.* at 8. On April 27, 2018, Mr. Anctil filed a motion to extend time within which to file an objection in which he asserted that prison officials were denying him access to legal materials “indefinitely.” *Pl.’s Mot. for Extension of Time to File Obj.* (ECF No.

89). He requested that the Court “grant him an extension of fourteen (14) days, from the date that he is provided with renewed, as well as adequate and meaningful, access to legal materials” *Id.* at 3. On May 1, 2018, the Defendants filed a partial objection. *Resp. to Mot. to Enlarge Time* (ECF No. 91). On May 2, 2018, the Magistrate Judge granted Mr. Anctil’s motion, thereby extending the time for the filing of an objection to June 15, 2018. *Order* (ECF No. 92).

On May 29, 2018, Mr. Anctil filed a motion for stay and a motion to reset deadlines. *Pl.’s Mot. for Stay of Action* (ECF No. 98). On June 5, 2018, the Defendants filed their opposition to the motion for stay. *Opp’n to Mot. for Stay* (ECF No. 102). On June 28, 2018, the Magistrate Judge denied the motion for stay but granted the motion to extend the time within which to file an objection to the recommended decision on Mr. Anctil’s motion for TRO and preliminary injunction to July 13, 2018. *Order on Pl.’s Mot. to Stay* (ECF No. 108).

Mr. Anctil did not file an objection by July 13, 2018. He did, however, file a motion for reconsideration of the order on his motion to stay. *Mot. for Recons. of Order on Pl.’s Mot. to Stay* (ECF No. 110). On July 22, 2018, the Magistrate Judge denied his motion for reconsideration. *Order Denying Mot. for Recons.* (ECF No. 112).

From this history, Mr. Anctil’s objection to the Magistrate Judge’s April 10, 2018 recommended decision, recommending that the Court deny his motion for TRO and motion for preliminary injunction was due on or before July 13, 2018. By failing to file a timely objection to the April 10, 2018 recommended decision, Mr. Anctil has waived the right to object to the recommended disposition.

Despite Mr. Anctil's failure to make a timely objection, the Court still performed a de novo review of the Magistrate Judge's recommended decision dated April 10, 2018 (ECF No. 88) and the Court AFFIRMS the recommended decision for the reasons set forth in the recommended decision. The Court DENIES Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 83).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 1st day of August, 2018