UNITED STATES DISTRICT COURT DISTRICT OF MAINE

FOR LSF9 MASTER PARTICIPATION TRUST,)))
Plaintiff,)
v.) 1:19-cv-00119-JDL
GREG A. KING))
Defendant.))

ORDER ACCEPTING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

United States Magistrate Judge John H. Rich III filed his Recommended Decision and Order (ECF No. 31) with the Court on September 17, 2019, pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2019) and Fed. R. Civ. P. 72(b). The Order regarded Plaintiff U.S. Bank Trust N.A. as Trustee for LSF9 Master's Motion for Entry of Default (ECF No. 27), and the Recommended Decision regarded Defendant King's Counterclaim (ECF No. 18). The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge provided notice that a party's failure to object would waive the right to *de novo* review and appeal.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, and I have made a *de novo* determination

¹ King, representing himself, filed a document with a heading of "Bill of Complaint in Equity; Presentment to Void Proceedings and Jurisdiction." ECF No. 13. Magistrate Judge Rich construed this filing as a motion to dismiss and a counterclaim. ECF No. 16.

of all matters adjudicated by the Magistrate Judge's Recommended Decision. I

concur with the recommendations of the United States Magistrate Judge for the

reasons set forth in his Recommended Decision and determine that no further

proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 31) of

the Magistrate Judge is hereby ACCEPTED, such that the Defendant's

Counterclaim is **DENIED** without prejudice. The Defendant is hereby **DIRECTED**

to file an answer to the complaint within 14 days of the Court's order on the

Defendant's Motion to Dismiss, which is being published concurrently with this order.

See Fed. R. Civ. P. 12(a)(4)(A). The Defendant may attach his counterclaim to that

pleading. See Fed. R. Civ. P. 13. The Clerk is directed to provide the Defendant with

a list of legal aid service providers.

SO ORDERED.

Dated this 15th day of January, 2020.

/s/ Jon D. Levy

CHIEF U.S. DISTRICT JUDGE

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