

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICKY SOUCY, SR.,)	
)	
Plaintiff,)	
)	
v.)	1:20-cv-00024-JDL
)	
SERGEANT THOMAS)	
AVERILL, et al.,)	
)	
Defendants.)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE
MAGISTRATE JUDGE**

Plaintiff Ricky Soucy, Sr., who is proceeding pro se and is currently in state prison, filed a motion for entry of default and default judgment on November 18, 2020 (ECF Nos. 35, 36). United States Magistrate Judge John C. Nivison filed his Recommended Decision on the motion with the Court on December 28, 2020 (ECF No. 40), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2021) and Fed. R. Civ. P. 72(b). The time within which to file objections has expired, and no objections have been filed, although Soucy has filed a response expressing acceptance of the decision. 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 Recommended Decision and Soucy’s response, together with the entire record, and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendation of the 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. 40) of the Magistrate Judge is hereby **ACCEPTED**. Soucy's motion for entry of default and default judgment (ECF No. 35) is **DENIED**.

SO ORDERED.

Dated this 1st day of February, 2021.

/s/ JON D. LEVY
CHIEF U.S. DISTRICT JUDGE