

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

CLYDE R. HARRIMAN,)
)
 Plaintiff,)
)
 v.)
)
 POLICE PROFESSIONAL)
 LIABILITY OFFICE OF THE)
 STATE CONTROLLER,)
)
 Defendant)

1:23-cv-00165-LEW

ORDER ADOPTING RECOMMENDED DECISION

On May 2, 2023, Magistrate Judge Nivison issued a Recommended Decision After Review of Complaint (ECF No. 5) in which he concluded that Plaintiff Clyde Harriman failed to state a viable claim and recommended that the Court dismiss the matter pursuant to 28 U.S.C. § 1915(e)(2). On June 8, 2023, Harriman filed his Objection to the Recommended Decision (ECF No. 6). Harriman contends that the Recommended Decision should be overruled because the Magistrate Judge overlooked the fact that Harriman has stated plausible substantive and procedural due process claims.

On July 3, 2023, Harriman filed a Motion for Leave to Amend but did not attach to the motion a proposed amended complaint. Judge Nivison granted leave to amend and permitted Harriman to file an amended complaint on or before July 21, 2023. To date, Harriman has not filed an amended complaint.

I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendation of the United States Magistrate Judge for the reasons set forth in the Recommended Decision. Moreover, I find that Harriman has not alleged a plausible due process claim given the State of Maine's provision of meaningful post-deprivation remedies associated with the impoundment of unregistered vehicles. *Harris v. Cnty. of Calhoun*, 127 F. Supp. 2d 871, 876 (W.D. Mich. 2001) (collecting cases).

Accordingly, it is **ORDERED** that the Recommended Decision of the Magistrate Judge is **ADOPTED** over objection. The case is hereby **DISMISSED**.

SO ORDERED.

Dated this 20th day of October, 2023.

/s/ Lance E. Walker
UNITED STATES DISTRICT JUDGE