

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

NADIM HAQUE,)
)
 PLAINTIFF)
)
 v.)
)
 MARTIN A. MAGNUSSON, in his)
 capacity as Commissioner of the Maine)
 Department of Corrections, ET AL.,)
)
 DEFENDANTS)

CIVIL No. 08-305-P-H

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

On April 8, 2011, the United States Magistrate Judge filed with the court, with copies to the parties, her Recommended Decision on Motions for Summary Judgment. The plaintiff filed an objection to the Recommended Decision on April 26, 2011. 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 recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

The Recommended Decision says that the Magistrate Judge knows “from [her] personal involvement in this case that Haque had the policy in hand by

December 11, 2010.” Recommended Decision at 3-4 (Docket Item 139). The year date is a typographical error. Docket Item 54 shows that Haque told the Magistrate Judge on December 11, 2009, that he had received the most recent revisions.

It is **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The motions for summary judgment as they relate to Haque’s federal claims against all defendants are **GRANTED**. The Court declines to exercise supplemental jurisdiction over the state law Maine Administrative Procedures Act claim and that claim is **DISMISSED WITHOUT PREJUDICE**. The pending motions to dismiss and to amend the answer to the amended complaint are **MOOT**.

SO ORDERED.

DATED THIS 11TH DAY OF MAY, 2011

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE