

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

| | | |
|--|---|--------------------------|
| MELISSA ATER, individually and |) | |
| on behalf of A.A., a minor child, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 2:19-cv-00568-JDL |
| |) | |
| BATH POLICE DEPARTMENT, et al., |) | |
| |) | |
| Defendants. |) | |

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

Plaintiff Melissa Ater brings this action against six defendants for damages arising out of her alleged assault and kidnapping on or about April 2, 2019. Defendant Maine Pretrial Services moves to dismiss the sole claim alleged against it in the complaint under Fed. R. Civ. P. 12(b)(6) (ECF No. 10). United States Magistrate Judge John H. Rich III filed his Recommended Decision on the motion to dismiss with the Court on May 7, 2020 (ECF No. 17), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b). 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 have made a *de novo* determination 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 the Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge (ECF No. 17) is **ACCEPTED** and Defendant Maine Pretrial Services' Motion to Dismiss (ECF No. 10) is **DENIED**.

SO ORDERED.

Dated this 3rd day of June, 2020.

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE