UNITED STATES DISTRICT COURT District of Maine

TINO MARINO,)
Plaintiff)
v.) Civil No. 08-326-B-S
WARREN MAGNUSSON,)
Commissioner of Department of)
Corrections, State of Maine, et al,)
)
Defendants	

ORDER AFFIRMING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on June 30, 2010, her Recommended Decision (Docket No. 153). Plaintiff filed his Objection and Request for Review of the Magistrate Judge's Recommended Decision (Docket No. 157) on July 25, 2010. Defendant Hirsch filed her Response to Plaintiff's Objection to the Recommended Decision (Docket No. 169) on August 30, 2010. Plaintiff filed Responses to Defendant's Response to his Objection to the Recommended Decision (Docket Nos. 188 and 189) on September 16, 2010 and September 22, 2010, respectively.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a <u>de novo</u> determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and in light of Plaintiff's Responses (Docket Nos. 188 and 189), I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

It is hereby **ORDERED** that Defendant Nova Hirsch's Motion for Summary Judgment (Docket No. 87) is **GRANTED** on all three counts of Plaintiff's 2. Complaint.

/s/George Z. Singal U.S. District Judge

Dated: September 30, 2010