

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

TIMOTHY KILROY, Individually and on)
behalf of KOK, KBK, EAK, KEG,)
)
Plaintiff,)
)
v.) CV-09-324-B-W
)
MAINE, STATE OF, et al.,)
)
Defendants.)

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

The United States Magistrate Judge filed with the Court on January 8, 2010 her Recommended Decision (Docket # 16). Plaintiff filed his objections to the Recommended Decision on January 25, 2010 (Docket # 17) and the Defendants filed their response to those objections on February 10, 2010 (Docket # 18). The Court has reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, and has made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. The Court concurs with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (Docket # 16) is hereby AFFIRMED;
2. It is further ORDERED that Defendants' Motion to Dismiss (Docket # 10) be and hereby is GRANTED; and,
3. It is further ORDERED that the Plaintiff's Complaint (Docket # 1) be and hereby is DISMISSED with prejudice for failure to state a claim.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 22nd day of February, 2010