

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>BRIAN ROBERT HOLMES,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:11-cv-275-DBH</b>
	)	
<b>JAMES FOSS,</b>	)	
	)	
<b>DEFENDANT</b>	)	

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

On August 26, 2011, the United States Magistrate Judge filed with the court, with a copy to the plaintiff, her Recommended Decision. The time within which to file an objection expired on September 12, 2011, and no objection has been filed. The Magistrate Judge notified the plaintiff that failure to object would waive his right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The plaintiff's complaint is **DISMISSED** in its entirety for failure to prosecute the action.

**SO ORDERED.**

**DATED THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2011**

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