

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

KEVIN FAILE,)	
)	
Plaintiff,)	
)	
v.)	1:12-cv-00055-JAW
)	
STATE OF MAINE, et als.,)	
)	
Defendants.)	

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

No objection having been filed to the Magistrate Judge's Recommended Decision filed August 6, 2012, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Defendants' Amended Motion to Dismiss for Failure to State a Claim (ECF No. 16) be and hereby is GRANTED. The federal and state employment-related claims are dismissed with prejudice and any theoretical state-law tort theories are dismissed without prejudice.

SO ORDERED.

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

Dated this 11th day of September, 2012