

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PHILIP C. TOBIN,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 1:14-cv-14-DBH
)	
KEVIN N. CUDDY, <i>Justice of the Maine Superior Court,</i>)	
)	
DEFENDANT)	

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

On April 24, 2014, the United States Magistrate Judge filed with the court, with copies to the parties, his Recommended Decision on Motion to Dismiss and Request for Default Judgment (ECF No.12). On May 5, 2014, the plaintiff filed a Motion to Reconsider the Recommended Decision (ECF No. 13) and a Motion to Amend Complaint (ECF No. 14). Both motions were denied by the Magistrate Judge on July 1, 2014 (ECF No. 21). On July 15, 2014, the plaintiff filed his Opposition to 1-July-2014 Order on Motion for Reconsideration (ECF No. 22). On August 6, 2014, the plaintiff filed his “Request for Declaratory Judgment” (ECF No. 25).

I have reviewed and considered the Recommended Decision and the plaintiff’s opposition/objections/request, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and 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.

The plaintiff's Opposition to 1-July-2014 Order on Motion for Reconsideration is **OVERRULED**.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The plaintiff's requests for default judgment and for declaratory judgment are **DENIED**. The defendant's motion to dismiss is **GRANTED** and the plaintiff's complaint is **DISMISSED**.

SO ORDERED.

DATED THIS 7TH DAY OF AUGUST, 2014

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