

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

JOHN JAY CONDON,)	
)	
Plaintiff,)	
)	
v.)	1:16-cv-000372-JAW
)	
RODNEY BOUFFARD, et al.)	
)	
Defendants.)	

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

The United States Magistrate Judge filed his Recommended Decision (ECF No. 17) with the Court on February 17, 2017. The Defendants filed their objections to the Recommended Decision on March 7, 2017.¹ (ECF No. 22). On March 27, 2017, the Plaintiff responded to the Defendants' objections. (ECF No. 27). I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record. I have made a de novo determination of those portions of the Recommended Decision to which the Defendants objected, pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3). I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine

¹ On March 6, 2017, the Plaintiff filed a document entitled "Points of Clarification," which appears on the Court's Electronic Filing System as an "Objection to Report and Recommended Decision." (ECF No. 20). In the document, however, the Plaintiff makes clear that he "has no objections to the [Magistrate Judge's] decision" and that the Plaintiff only "desires to clarify certain (dates and) locations he failed to be more specific about within his previous filings with this Court." *Id.* at 1.

that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (ECF No. 17) be and hereby is AFFIRMED.
2. It is further ORDERED that the Defendants' Motion to Dismiss (ECF No. 6) be and hereby is GRANTED IN PART and that the Plaintiff's claim under the Eighth Amendment be DISMISSED.
3. It is further ORDERED that the Defendants' Motion to Dismiss (ECF No. 6) is DENIED IN PART with respect to the Plaintiff's Due Process and Equal Protection claims under the Fourteenth Amendment and retaliation claim under the First Amendment.

SO ORDERED.

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

Dated this 26th day of July, 2017