

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MICHAEL A. TUCK,)	
)	
Plaintiff,)	
)	
v.)	1:18-cv-00212-JDL
)	
CITY OF GARDINER POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	

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

United States Magistrate Judge John H. Rich III filed his Recommended Decision (ECF No. 56) with the Court on December 23, 2019, pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b), regarding dismissal of the complaint as to David Timms for lack of service. The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge provided notice that a party’s failure to object would waive the right to *de novo* review and appeal.

I have reviewed and considered the Magistrate Judge’s Recommended Decision, together with the entire record and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge’s Recommended Decision. I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 56) of the Magistrate Judge is hereby **ACCEPTED** and the complaint is dismissed without prejudice as to Defendant David Timms.

SO ORDERED.

Dated this 6th day of February, 2020.

/s/ Jon D. Levy
CHIEF U.S. DISTRICT JUDGE