

**UNITED STATES DISTRICT COURT
District of Maine**

BENJAMIN HAWKINS, et al,)	
)	
Plaintiffs)	
)	
v.)	Civil No. 08-139-P-S
)	
ROBERT KIELY, et al,)	
)	
Defendants)	
)	

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

The United States Magistrate Judge filed with the Court on August 31, 2008, his Recommended Decision (Docket No. 23). Plaintiffs filed their Objection to the Recommended Decision (Docket No. 24) on September 15, 2008. Defendants filed their Response to Plaintiffs' Objection to the Recommended Decision (Docket No. 25) on October 2, 2008.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and 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.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Docket No. 12) is **GRANTED**.

/s/George Z. Singal _____
Chief U.S. District Judge

Dated: October 9, 2008