

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

GLEN LAWSON,

PLAINTIFF

v.

ADAM CAMPBELL, ET AL.,

DEFENDANTS

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CIVIL No. 09-226-P-H

ORDER ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

This is a lawsuit brought by a prisoner claiming excessive force at the Androscoggin County Jail. The defendants have moved for summary judgment under Fed. R. Civ. P. 56. Defs.' Mot. for Summ. J. (Docket Item 52). In accordance with Local Rule 56(b), they have filed a Statement of Material Facts, supported by numerous affidavits. Defs.' Statement of Material Facts (Docket Item 53). The plaintiff has not responded. Therefore, the Statement of Material Facts, which is properly supported by references to the summary judgment record, is deemed admitted. Local Rule 56(f) ("Facts contained in a supporting or opposing statement of material facts, if supported by record citations as required by this rule, shall be deemed admitted unless properly controverted."); Cosme-Rosado v. Serrano-Rodriguez, 360 F.3d 42, 45 (1st Cir. 2004) ("We have consistently upheld the enforcement of [Puerto Rico's similar local] rule, noting repeatedly that parties ignore it at their peril and that failure to present a statement of disputed facts, embroidered with specific citations to the record,

justifies the court's deeming the facts presented in the movant's statement of undisputed facts admitted.") (citations and internal punctuation omitted). Under those facts, the plaintiff has no claim for excessive force under either federal constitutional law or Maine state law.

The defendants' motion for summary judgment is **GRANTED**.

SO ORDERED.

DATED THIS 15TH DAY OF JULY, 2010

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