UNITED STATES DISTRICT COURT DISTRICT OF MAINE

GEORGE STANLEY,)
Plaintiff,)
v.)
SOCIAL SECURITY ADMINISTRATION,)
Defendant.)

Case No. 2:14-cv-313-JDL

ORDER ADOPTING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

George Stanley ("Stanley") is the *pro se* plaintiff in this action against the Social Security Administration ("SSA"). He alleges that he was assaulted by a security guard at an SSA facility and that the SSA wrongfully excluded him from their offices and otherwise mistreated him. ECF No. 1. On December 17, 2014, Magistrate Judge John H. Rich III (the "Magistrate Judge") issued a Recommended Decision finding that several but not all of the claims in Stanley's complaint should be dismissed. ECF No. 8. Stanley has objected, ECF No. 13, and so I review the Magistrate Judge's decision *de novo, see* 28 U.S.C.A. § 636(b) (2014). After careful consideration, I adopt the Magistrate Judge's Recommended Decision.

The Magistrate Judge determined that Stanley's claim or claims for assault and his claim or claims that may reasonably be construed to assert claims under the Americans with Disabilities Act ("ADA") should proceed. ECF No. 8 at 3. However, the Magistrate Judge also concluded that the claims in Stanley's complaint related to his allegations that the SSA treated him poorly or rudely should be dismissed for failure to state a claim upon which relief could be granted. *Id*.

Stanley disputes this decision on the grounds that the "actions of [the SSA] must be viewed as a whole" and "the assault cannot be truncated from [the] overall reach of [the] complaint[.]" ECF No. 13 at 1. Although evidence of acts of rudeness by SSA employees may prove to be relevant in connection with Stanley's ADA claims and any claims stemming from the assault, they do not, standing alone, give rise to an independent cause of action. *See* ECF No. 8 at 2-3.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is **ADOPTED**. The claims made in Stanley's complaint other than the claim or claims for assault and the claim or claims that may reasonably be construed to assert cognizable claims under the Americans with Disabilities Act ("ADA") are **DISMISSED**.

SO ORDERED.

Dated: February 6, 2015

<u>/s/ Jon D. Levy</u> U.S. District Judge