

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>DOMINGUS NOBREGA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>2:20-cv-00302-JDL</b>
	)	
<b>YORK COUNTY SHERIFF, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

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

Plaintiff Domingus Nobrega, who is proceeding pro se, filed this action in Maine state court, alleging that York County’s Sheriff, jail administrators, and jail chaplain violated his rights under the United States and Maine Constitutions (ECF No. 3-2).<sup>1</sup> On August 19, 2020, the case was removed to this Court (ECF No. 1). In November 2020, Nobrega filed an amended complaint (ECF No. 14), and on January 5, 2021, Nobrega filed a motion to remand the case to state court (ECF No. 18).

On March 29, 2021, United States Magistrate Judge John C. Nivison submitted a Recommended Decision on Nobrega’s motion to remand (ECF No. 22), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b). The time within which to file objections to the Recommended Decision has expired, and

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<sup>1</sup> The Maine Department of Corrections was also originally joined as a Defendant. On March 24, 2021, with Nobrega’s agreement, the Court granted the Department of Corrections’ motion to dismiss the claims against it (ECF No. 21).

no objections have been filed.<sup>2</sup> The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

I have reviewed and considered the Recommended Decision, together with the entire record, and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's decision. I concur with the recommendations of the 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. 22) of the Magistrate Judge is hereby **ACCEPTED**. Nobrega's Motion to Dismiss and Remand (ECF No. 18) is **GRANTED**. Accordingly, it is **ORDERED** that the matter is **REMANDED** to state court.

**SO ORDERED.**

**Dated this 26th day of April, 2021.**

/s/ JON D. LEVY  
**CHIEF U.S. DISTRICT JUDGE**

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<sup>2</sup> After the Magistrate Judge issued his Recommended Decision, the Defendants filed their Answer to Nobrega's Amended Complaint (ECF No. 24). Nobrega subsequently filed a document in response to the Defendants' Answer, which is captioned, in part, as a "General Objection To[] All" (ECF No. 25). However, it is clear from the substance of Nobrega's filing that he agrees with the Magistrate Judge's decision that this Court now lacks jurisdiction; therefore, to the extent that Nobrega intends this filing as an objection to the Magistrate Judge's Recommended Decision, his objection is overruled.