

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JAMES M. ATKINSON,	)	
	)	
Plaintiff,	)	
v.	)	CIVIL ACTION
	)	NO. 11-11073-NMG
TOWN OF ROCKPORT, et al.,	)	
	)	
Defendants.	)	

**REPORT AND RECOMMENDATION ON  
PLAINTIFF'S MOTION FOR LEAVE TO FILE  
A FOURTH AMENDED COMPLAINT**

February 23, 2012

DEIN, U.S.M.J.

**I. INTRODUCTION**

This matter is presently before the court on the Plaintiff's Motion for Leave to File a Fourth Amended Complaint (Docket No. 127) (the "Motion"). For the reasons detailed herein, this court recommends to the District Judge to whom this case is assigned that the Motion be DENIED.

**II. DISCUSSION**

The plaintiff James M. Atkinson ("Atkinson") filed his original 200-plus page complaint on June 16, 2011, and an amended complaint consisting of 653 pages on June 20, 2011. A Second Amended Complaint, which was also too voluminous to scan into the court's electronic filing system, was filed on June 30, 2011. The Third Amended Complaint, which was ordered by the court to be the operative pleading in this action,

*After consideration of plaintiff's objection thereto,  
Report and Recommendation accepted and adopted.*

*S/John Boston, USDJ 3/14/12*