

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
RICARDO RIVERA,)	
)	
Plaintiff,)	
)	Civil No.
v.)	14-10613-FDS
)	
DEPARTMENT OF CHILDREN AND)	
FAMILIES,)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

SAYLOR, J.

On June 27, 2014, this Court entered an order directing plaintiff Ricardo Rivera to show cause by July 18, 2014, why this action should not be dismissed for failure to state a claim upon which relief can be granted. In a document filed on July 11, 2014, plaintiff responded to the order. However, that response does not overcome the legal impediments to his action. In particular, as the Court stated in its prior memorandum and order, the complaint and the response fail to state any causes of action; the Eleventh Amendment clearly forecloses any potential claim against DCF under 28 U.S.C. § 1983; and failure to comply with the requirements of the Massachusetts Tort Claims Act, Mass. Gen. Laws ch. 258, forecloses any potential claim under tort law.

Accordingly, the motion to dismiss is GRANTED, and the complaint is DISMISSED.

So Ordered.

Dated: July 21, 2014

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge