

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

TAMMY IVES,	)	
Plaintiff,	)	
	)	
v.	)	C.A. NO. 15-cv-30153-MAP
	)	
JOHN AGASTONI, ET AL.,	)	
Defendants.	)	

MEMORANDUM AND ORDER REGARDING  
REPORT AND RECOMMENDATION ON PLAINTIFF'S MOTION  
TO PROCEED IN FORMA PAUPERIS AND FOR SUMMARY DISMISSAL  
(Dkt. Nos. 2 & 9)

January 5, 2016

PONSOR, U.S.D.J.

Plaintiff, proceeding pro se, filed this civil action pursuant to 42 U.S.C. § 1983 against two judges of the Superior Court Department of the Massachusetts Trial Court and the Clerk of the Berkshire County Superior Court. The complaint was referred to Magistrate Judge Katherine A. Robertson for review of Plaintiff's application to proceed in forma pauperis and for pretrial screening.

Following her review, on December 14, 2015, Judge Robertson issued her Report and Recommendation, to the effect that the motion to proceed in forma pauperis (Dkt. No. 2) should be allowed. However, after completing a preliminary screening under 28 U.S.C. § 1915(e)(2), Judge Robertson also recommended that the complaint be dismissed based on res judicata, immunity, and lack of subject matter

jurisdiction. The conclusion of the Report and Recommendation admonished the parties that objections to the Report and Recommendation would have to be filed within fourteen days. See Dkt. No. 9 at n.1. No opposition has been filed.

Having reviewed the Report and Recommendation, de novo, the court finds that it is entirely correct as a matter of law and that Plaintiff's complaint must be dismissed.

For the foregoing reasons, the court hereby ADOPTS Judge Robertson's Report and Recommendation (Dkt. No. 9). Based upon this, the complaint is ordered DISMISSED. This case may now be closed.

It is So Ordered.

/s/ Michael A. Ponsor  
MICHAEL A. PONSOR  
U. S. District Judge