

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ADAM L. HALL,

Plaintiff,

v.

WILLIAM ZEITLER et al.,

Defendants.

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Civil Action No. 15-30182-MGM

MEMORANDUM AND ORDER RE: REPORT AND
RECOMMENDATION REGARDING REQUEST
FOR INJUNCTIVE ORDER
(Dkt. Nos. 21, 23)

September 20, 2016

MASTROIANNI, U.S.D.J.

On June 2, 2016, this court adopted Magistrate Judge Katherine A. Robertson's Report and Recommendation, which recommended that Plaintiff's complaint be summarily dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2). Judge Robertson concluded, and this court agreed, that Plaintiff's civil RICO claim was meritless and that the court should decline to exercise supplemental jurisdiction over any state-law claims. Judgment was entered that same day and the case was closed. (Dkt. No. 19.) Thereafter, Plaintiff filed a motion for injunctive relief, requesting an order from this court requiring the Suffolk County Superior Court to bring him before it. Judge Robertson then issued a second Report and Recommendation concluding, correctly, that Plaintiff's allegations, even if true, do not entitle him to the relief he seeks, this court is not the appropriate forum in which to seek a criminal complaint, and Plaintiff must first exhaust his state remedies before seeking relief in federal court for alleged due process violations which occurred in his criminal proceedings. As Judge

Robertson noted, Plaintiff's direct appeal of his first degree murder conviction is still pending before the Supreme Judicial Court. *Commonwealth v. Hall*, SJC-11952.

The Report and Recommendation notified Plaintiff that he had fourteen days to file an objection. No objection has been filed. Based upon the comprehensive and well-reasoned analysis presented in the Report and Recommendation, and noting there are no objections, the court, upon *de novo* review, hereby ADOPTS the Report and Recommendation. (Dkt. No. 21.) As a result, Plaintiff's motion for injunctive relief is hereby DENIED.

It is So Ordered.

/s/ Mark G. Mastroianni

MARK G. MASTROIANNI

United States District Judge