UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Warren Picard

v.

Case No. 09-cv-271-SM

<u>Hillsborough County</u> <u>Department of Corrections,</u> <u>Medical Department, et al.</u>

<u>ORDER</u>

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated November 20, 2009, no objection having been filed, for the reasons set forth therein. Defendants Jane Doe Nurse Supervisor and the Hillsborough County Department of Corrections, Medical Department, are hereby dismissed from this action. Plaintiff's inadequate medical care and inadequate diet claims will proceed against Defendant Hillsborough County Department of Corrections Superintendent, James R. O'Mara, Jr.

SO ORDERED.

December 16, 2009

You J. McAuliffe

Chief Judge

cc: Warren Picard, pro se