

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE**

Daniel Boothby

v.

Civil No. 10-cv-424-JL

Erik Jorgensen et al.<sup>1</sup>

**O R D E R**

Before the Court is Daniel Boothby's complaint (doc. no. 1), filed pursuant to 42 U.S.C. § 1983, alleging violations of his rights under federal and state law. Boothby is a prisoner represented by counsel who has paid his filing fee. Under 28 U.S.C. § 1915A, this Court must, in all civil actions "in which a prisoner seeks redress from a governmental entity or officer of employee of a governmental entity," review the complaint to identify cognizable claims or recommend dismissal of any claim in the complaint that either fails to state a claim upon which relief might be granted or seeks monetary relief from a defendant immune from such relief. 28 U.S.C. § 1915A(a) & (b). Section 1915A requires the Court to conduct such a screening in this matter.

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<sup>1</sup>In addition to Erik Jorgensen, a New Hampshire Department of Corrections ("DOC") Corrections Officer ("CO"), Boothby has named the DOC and the following individual DOC employees as defendants to this action: CO William Duffy, CO Lee Houston, CO John O'Brien, and CO Jeffrey Bettez.

The complaint succinctly sets out the claims for relief, and facts sufficient to support a cause of action for each of the claims asserted. Accordingly, I find that the claims, as identified by plaintiff in the complaint, are cognizable. Because the complaint has been filed by counsel, and is clear in its recitation of both factual allegations and claims for relief, there is no reason to restate the facts alleged therein. As the complaint has already been served on defendants, no further court action is required at this time.

**SO ORDERED.**



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Landya B. McCafferty  
United States Magistrate Judge

Date: December 6, 2010

cc: Michael J. Sheehan, Esq.  
Nancy J. Smith, Esq.  
Rebecca L. Woodard, Esq.

LBM:nmd