UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE

Allan Cullen, Scott N. Rogers, and Ronald Bourdon

v.

Case No. 16-cv-537-SM

<u>NH Department of Corrections,</u> Commissioner

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated January 3, 2017, for the reasons set forth therein. Plaintiffs' request for a preliminary injunction set forth in the complaint (Document no. 1) is hereby denied, without prejudice.

"'[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" <u>School Union No. 37 v. United Nat'l Ins. Co.</u>, 617 F.3d 554, 564 (1st Cir. 2010) (<u>quoting Keating v. Secretary of</u> <u>Health & Human Servs.</u>, 848 F.2d 271, 275 (1st Cir.1988)); <u>see</u> <u>also United States v. Valencia-Copete</u>, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal). SO ORDERED.

Steven J. McAuliffe United States District Court

Date: February 2, 2017

Allan Cullen, pro se cc: Ronald Bourdon, pro se Scott Rogers, pro se