

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

MICHAEL DUCHARME

v.

CA No. 07 - 063 S

**A.T. WALL, DEPUTY DONNA COLLINS,
LT. AVILA, LT. GALLIGAN,
INVESTIGATOR JOE FORGUE, and
ASSISTANT DIRECTOR JAKE GADSEN**

REPORT AND RECOMMENDATION

Jacob Hagopian, Senior United States Magistrate Judge

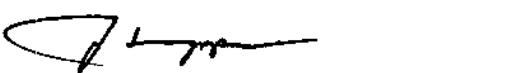
Confined at Adult Correctional Institutions, in Cranston, Rhode Island, *pro se* plaintiff Michael Ducharme filed a Complaint pursuant to 42. U.S.C. § 1983. Plaintiff named as defendants A.T. Wall, Deputy Donna Collins, Lt. Avila, Lt. Galligan, Investigator Joe Forgue, and Assistant Director Jake Gadsen. In his Complaint, plaintiff alleges that the named defendants interfered with a liberty interest in violation of the Due Process Clause of the Fourteenth Amendment.

Section 1915A of Title 28 of the United States Code directs the Court to review prisoner complaints before docketing or soon thereafter to identify cognizable claims or dismiss the complaint if it fails to state a claim upon which relief can be granted. 28 U.S.C. § 1915A. Pursuant to this directive, I find that the instant Complaint fails to state a claim upon which relief can be

granted.

In his Complaint, plaintiff alleges that the named defendants interfered with a liberty interest in violation of the Due Process Clause of the Fourteenth Amendment. However, plaintiff's Complaint is sparse. It does not set forth the factual basis of the claim, nor does it identify which claims are lodged against which defendants. See Fed. R. Civ. P. 8(a) (requiring a short plain statement of the claim showing that the pleader is entitled to relief). As a result, this Court, as well as the named defendants, are left guessing as to the basis of this lawsuit. Therefore, I recommend that plaintiff's Complaint be dismissed without prejudice.

Any objection to this report and recommendation must be specific and must be filed with the Clerk of Court within ten days of its receipt. FED.R.CIV.P. 72 (b). Failure to file timely, specific objection to this report constitutes waiver of both the right to review by the district court and the right to appeal the district court's decision. United States v. Valencia-Copete, 792 F.2d 4 (1st Cir. 1986) (per curiam); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603 (1st Cir. 1980).


Jacob Hagopian
Senior United States Magistrate Judge
March 9, 2007