

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

RAYMOND FRANCISCO,
Plaintiff,

v.

U.S. MARSHALLS SERVICE, CENTRAL)
FALLS DETENTION FACILITY, WARDEN)
BRIAN MURPHY, MAJOR COBURN,)
CAPTAIN SAMOS, LT. SULLIVAN)
SERGEANT C.K. CLOUD, C.O.)
SULLIVAN, SERGEANT SANTUCCI,)
C.O. OLMO,)
Defendants.)

C.A. No. 11-231L

O R D E R

There being no objection to the Report and Recommendation of U.S. Magistrate Judge Patricia A. Sullivan, dated May 31, 2013, that Report and Recommendation hereby is accepted and adopted pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Sullivan recommended the dismissal of Count VI, if Plaintiff provided no amendment to his original claims. As Plaintiff has not filed an amendment, Count VI is hereby dismissed for failure to state an adequate legal claim pursuant to Fed. R. Civ. P. 12(b)(6).

Portions of Count I and Count V, as detailed in the Report and Recommendation, survived Defendants' motion to dismiss. Those claims are hereby referred to Judge Sullivan for an additional Report and Recommendation.

ENTER:

/s/Ronald R. Lagueux
Ronald R. Lagueux
Senior U.S. District Judge