

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DANIEL ONEILL RUFFIN.,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 1:11-cv-00022-NT
)	
COMMISSIONER, MAINE)	
DEPARTMENT OF CORRECTIONS,)	
et al.,)	
)	
Defendants.)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on January 12, 2012, her Recommended Decision (Docket No. 45). The Plaintiff filed his objections to the Recommended Decision on January 27, 2012 (Docket No. 46). The Defendants filed their response to the Plaintiff's objections on February 9, 2012 (Docket No. 47). I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is further **ORDERED** that the Defendant's Motion for Summary Judgment and to Dismiss be **GRANTED**.
3. It is further **ORDERED** that the Defendant's Objection to the Magistrate Judge's termination of his second Motion for Summary Judgment (self-styled by the Defendant as a "Cross Move for Summary Judgment") is **OVERRULED**. The Magistrate Judge properly considered that pleading as a Reply to the Defendant's Response to the Defendant's Motion for Summary Judgment, as she indicated in her Recommended Decision at n. 1.

SO ORDERED.

/s/ Nancy Torresen
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of March, 2012.