

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ALLEN DALE PHILLIPS,)
)
 Plaintiff)
)
 v.) Civil No. 98-0158-B
)
 CORRECTIONAL MEDICAL)
 SERVICES, et al.,)
)
 Defendants)

RECOMMENDED DECISION

Defendants Correctional Medical Services, Bert Beverly, M.D., Roger Kendrick, M.D., and Ren Rouillard, move to dismiss Plaintiff's Complaint for Plaintiff's failure to state a claim upon which relief can be granted.¹ Fed. R. Civ. P. 12(b)(6). Plaintiff has not filed a response to the Motion to Dismiss and his deadline for doing so has expired. D. Me. R. 6, 7(b). Accordingly, Plaintiff has waived objection to the Motion to Dismiss. D. Me. R. 7(b).

Conclusion

For the foregoing reasons, I hereby recommend Defendants' Motion to Dismiss (Docket No. 13) be GRANTED.

¹ Defendant Laurie Ingles has yet to be served, and is not a party to this Motion to Dismiss.

SO ORDERED.

Eugene W. Beaulieu
U.S. Magistrate Judge

Dated on August 16, 1999