

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

KATHRYN McINNIS-MISENOR and
BRETT MISENOR,

Plaintiffs

v.

Civil No. 01-246-P-C

MAINE MEDICAL CENTER,

Defendant

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

The United States Magistrate Judge having filed with the Court on June 25, 2002, with copies to counsel, his Recommended Decision on Defendant's Motion to Dismiss (Docket No. 13); and Plaintiff having filed her objection thereto on July 8, 2002, (Docket No. 14), to which objection Defendant filed its response on July 25, 2002 (Docket No. 15); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and this Court having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, and concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, it is **ORDERED** as follows:

- (1) Plaintiff's objection is hereby **DENIED**;
- (2) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;

- (3) Defendant's Motion to Dismiss is hereby **GRANTED**;
- (4) Plaintiff's Complaint is hereby **DISMISSED** without prejudice.

GENE CARTER
District Judge

Dated at Portland, Maine this 30th day of July, 2002.

KATHRYN MCINNIS-MISENOR
plaintiff

DEIRDRE M. SMITH, ESQ.
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BRETT MISENOR
plaintiff

DEIRDRE M. SMITH, ESQ.
(See above)
[COR LD NTC]

v.

MAINE MEDICAL CENTER
defendant

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