

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICHARD W. MORIN,)
)
) **PLAINTIFF**)
)
v.)
)
COMMISSIONER, DEPARTMENT)
OF CORRECTIONS, ET AL.,)
)
) **DEFENDANTS**)

CIVIL No. 10-253-P-H

**ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE
AND ORDER ON PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION**

The United States Magistrate Judge filed with the court on August 19, 2010, with copies to the parties, her Recommended Decision and Order. The plaintiff filed an objection to the Recommended Decision on August 31, 2010. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendants Topel, Herrington, Campbell, Stockwell and Gramse are **DISMISSED** from this case, and the matter shall proceed only as to the Corrections Department defendants.

The plaintiff's request for a preliminary injunction is **DENIED**. His primary request, to be returned to the Maine Correctional Center, is **MOOT** because the defendants state that they have already returned him to the MCC. The plaintiff also appears to be complaining that "Plaintiff and Multi-purpose Unit inmates" do not receive "[s]ubstantially similar programs provided to general population." This is too vague a statement to support a request for a preliminary injunction.

SO ORDERED.

DATED THIS 16TH DAY OF SEPTEMBER, 2010

/s/D. Brock Hornby
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET NO. 2:10cv253 (DBH)**

<p>Richard W. Morin, Plaintiff</p>	<p>Represented By</p>	<p>Richard W. Morin, Pro Se Maine Correctional Center 17 Mallison Falls Road Windham, ME 04082</p>
<p>v.</p>		
<p>Commissioner, Maine Department of Corrections, Superintendent, Maine Correctional Institute, Warden, Maine State Prison, Jim Howard, Gary LePlante, Shawn Emerson,</p>	<p>Represented By</p>	<p>Martha J. Hallisey-Swift Assistant Attorney General Six State House Station Augusta, ME 04333-0006 (207) 626-8583 email: martha.hallisey-swift@maine.gov</p>
<p>Ken Topel, Ryan Herrington, Dr. Campbell, Dr. Stockwell, and Dr. Gramse, Defendants</p>	<p>Represented By</p>	