

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>UNITED STATES OF AMERICA, )</b>	)	
<b>v. )</b>	)	<b>CRIMINAL No. 05-89-P-S</b>
	)	
<b>RICHARD DIMOTT )</b>	)	
	)	
<b>Defendant )</b>	)	

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

The United States Magistrate Judge filed with the Court on February 13, 2006, his Recommended Decision (Docket No. 59). Defendant filed his Objection to the Recommended Decision (Docket No. 60) on March 3, 2006. The Government filed its Response to Objection (Docket No. 65) on March 20, 2006.

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 his 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. Defendants' Motion to Dismiss (Docket Nos. 31) is GRANTED WITHOUT PREJUDICE.

/s/ George Z. Singal  
Chief U.S. District Judge

Dated this 21<sup>st</sup> day of March, 2006.

**RICHARD DIMOTT (1)**

represented by **EDWARD S. MACCOLL**

THOMPSON, BULL, FUREY, BASS  
& MACCOLL, LLC, P.A.  
120 EXCHANGE STREET  
P.O. BOX 447  
PORTLAND, ME 04112

USA

represented by **DARCIE N. MCELWEE**  
OFFICE OF THE U.S. ATTORNEY  
DISTRICT OF MAINE  
100 MIDDLE STREET PLAZA  
PORTLAND, ME 04101  
**RICHARD W. MURPHY**  
OFFICE OF THE U.S. ATTORNEY  
DISTRICT OF MAINE  
100 MIDDLE STREET PLAZA  
PORTLAND, ME 04101