

**UNITED STATES DISTRICT COURT
District of Maine**

ESTATE OF DANIEL BENNETT, II,)	
et al.,)	
Plaintiffs)	
)	
v.)	**Civil No. 06-28-P-S
)	
CHRISTOPHER WAINWRIGHT, et al,)	
)	
Defendants)	
)	

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

The United States Magistrate Judge filed with the Court on May 30, 2007, his Recommended Decision (Docket No. 123). Plaintiffs filed an Objection to the Recommended Decision (Docket No. 128) on June 13, 2007. Defendants Christopher Wainwright, Matthew Baker, James Miclon, James Davis, Lloyd Herrick, and Oxford County filed a Partial Objection to the Recommended Decision (Docket No. 129) on June 14, 2007. Defendant Timothy Turner filed a partial Objection to the Recommended Decision (Docket No. 130) on June 18, 2007. Plaintiffs filed an Objection and Response to Defendant Oxford County's and Defendant Turner's Objection to the Recommended Decision (Docket No. 135) on July 2, 2007. Defendants Christopher Wainwright, Matthew Baker, James Miclon, James Davis, Lloyd Herrick and County of Oxford filed a response to Plaintiffs' Objection (Docket No. 134) on July 2, 2007. Defendant Timothy Turner filed a Reply to Plaintiffs' Objection to the Recommended Decision (Docket No. 133) on July 2, 2007.

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. Defendant Timothy Turner's Motion to Dismiss and for Summary Judgment (Docket No. 55) is **GRANTED**;
3. The Amended Motion for Judgment on the Pleading filed by Defendants Christopher Wainwright, Matthew Baker, James Miclon, James Davis, Lloyd Herrick and the County of Oxford (Docket No. 67) is **DENIED** as to any claims for violation of the equal protection rights of Daniel Bennett and as to Count II of the Complaint and otherwise **GRANTED**;
4. The Amended Motion for Summary Judgment filed by Defendants Christopher Wainwright, Matthew Baker, James Miclon, James Davis, Lloyd Herrick and the County of Oxford (Docket No. 67) is **GRANTED** as to all remaining claims asserted against them.

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

Dated: July 9, 2007

Plaintiff

**DANIEL BENNETT II, ESTATE
OF**

*By and through his Personal
Representative, Arlene J. Bedard*

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Plaintiff

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Plaintiff

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Plaintiff

LAURIE HART

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V.

Defendant

CHRISTOPHER WAINWRIGHT

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Defendant

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Defendant

TIMOTHY TURNER

represented by **RONALD W. LUPTON**

TERMINATED: 07/09/2007

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