

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

JAN LIGHTFOOTLANE, )  
)  
Plaintiff, )  
)  
v. ) Civil No. 06-53-B-W  
)  
MAINE DEPARTMENT OF )  
HEALTH AND HUMAN SERVICES, )  
)  
Defendant. )

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

The United States Magistrate Judge filed with the Court on October 11, 2006 her Recommended Decision. The Plaintiff filed her objections to the Recommended Decision on November 15, 2006 and the Defendant filed its responses to those objections on November 30, 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 her Recommended Decision, and determine that no further proceeding is necessary.<sup>1</sup>

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Defendant's Motion to Dismiss (Docket # 7) be and hereby is GRANTED.

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<sup>1</sup> Defendant initially urges that the Court should not excuse Ms. Lightfootlane's failure to timely file her Objection to the Recommended Decision. Although Ms. Lightfootlane's Objection was filed one day late, on November 15, 2006, it appears that she mailed her Objection on the day of the deadline, November 14, 2006. Given the particular circumstances, the Court declines to default Ms. Lightfootlane, a pro se plaintiff, for what may have been a legitimate misunderstanding of the procedural requirements.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 1st day of December, 2006

**Plaintiff**

**JAN LIGHTFOOTLANE**

represented by **JAN LIGHTFOOTLANE**  
PO BOX 62  
HINCKLEY, ME 04944  
US  
PRO SE

V.

**Defendant**

**HEALTH AND HUMAN  
SERVICES, MAINE DEPT**

represented by **RICHARD W. THACKERAY,  
JR**  
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