

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

PHILIP C. TOBIN,)
)
Plaintiff,)
)
v.) Civil No. 07-53-B-W
)
INTERNAL REVENUE SERVICE)
COMMISSIONER,)
)
Defendant.)

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

No objection having been filed to the Magistrate Judge's Recommended Decision filed September 26, 2007, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Defendant's Motion to Dismiss (Docket # 13) is hereby GRANTED; the Plaintiff's Motion for Declaratory Judgment (Docket # 3) is hereby DENIED; and, the Plaintiff's Motions to Amend or otherwise doctor his Complaint (Docket #'s 14, 16 and 17) are hereby DENIED.

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

Dated this 19th day of October, 2007

Plaintiff

PHILIP C TOBIN

represented by **PHILIP C TOBIN**
34 MAIN STREET
ELLSWORTH, ME 04605
(207) 667-3438
PRO SE

V.

Defendant

**INTERNAL REVENUE
SERVICE COMMISSIONER**

represented by **ROBERT J. KOVACEV**
U.S. DEPARTMENT OF
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