

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MICHAEL L. CHASSE,)
)
 Plaintiff,)
)
 v.) CV-04-56-B-W
)
 JEFFREY D. MERRILL, *et. al.*,)
)
 Defendants.)

ORDER ON POST-ORDER MOTIONS

On March 27, 2009, the Magistrate Judge issued a report and recommended decision and in a thorough and tightly reasoned opinion, she recommended that because Mr. Chasse had failed to act on a timely basis, the State Defendants' motion to dismiss Mr. Chasse's motion for relief from judgment be granted. *Recommended Dec.* (Docket # 24). On April 9, 2009, Mr. Chasse moved for an extension of time within which to object to the recommended decision, and on the same date the Magistrate Judge granted his motion. *Pl.'s Mot. for Enlargement of Time* (Docket # 25); *Order* (Docket # 26). Mr. Chasse filed his objection on May 11, 2009, and on May 19, 2009, this Court overruled his objection and adopted the report and recommended decision. *Pl.'s Mot. for a De Novo Review of Magistrate Judge's Recommended Dec.* (Docket # 27); *Order Affirming Recommended Dec.* (Docket # 29). On May 21, 2009, Mr. Chasse filed two additional motions: a motion for order to file reply, *Pl.'s Req. for Permission to File Reply* (Docket # 30); and, a motion to extend time, *PL.'s Mot. for Enlargement of Time* (Docket # 31); and, on May 29, 2009, he filed a reply to the response to the objection to the report and recommended decision. *Pl.'s Mot. for Clarification and Reply to Defendants' Resp. to Recommended Dec.* (Docket # 32).

The Court denies Mr. Chasse's motions to file reply and for extension and strikes his clarification and reply. Mr. Chasse has had an ample opportunity to present his arguments to this Court. He filed a twenty-nine page motion on February 17, 2009, and after receiving the recommended decision, he filed a fifteen page objection on May 11, 2009. He now belatedly seeks to present additional argument, much of which is directed to whether he waived arguments not raised before the Magistrate Judge. In her decision, the Magistrate Judge quoted the United States Supreme Court: "There must be an end to litigation someday." *Ackermann v. United States*, 340 U.S. 193, 198 (1950); *accord Ahmed v. Rosenblatt*, 118 F.3d 886, 891-92 (1st Cir. 1997) (quoting *Ackermann*). That time has now come for Mr. Chasse in this Court.

SO ORDERED.

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

Dated this 8th day of June, 2009

Plaintiff

MICHAEL L CHASSE

represented by **MICHAEL L CHASSE**
NO. 18212
MAINE STATE PRISON
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V.

Defendant

JEFFREY D MERRILL

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Defendant

JOHN DOE

Defendant

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