

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DAVID WIDI, JR.,)
)
Plaintiff,)
)
v.) 1:11-cv-00113-JAW
)
JUSTICE, U.S. DEPT OF, et al.,)
)
Defendants.)

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

March 25, 2011, David J. Widi, Jr. filed a complaint against twenty-four defendants. *Compl.* (Docket # 1). On May 3, 2011, the Magistrate Judge issued an Amended Recommended Decision in which she recommended summary dismissal of the complaint because she concluded it did not survive “the initial screening process under 28 U.S.C. § 1915A.” *Am. Recommended Decision* at 9 (Docket # 10). On May 20, 2011, Mr. Widi moved to extend time to file objections to the Recommended Decision, seeking an additional ten days within which to file his objections. *Mot. for Extension of Time* (Docket # 11). On May 23, 2011, the Magistrate Judge granted the motion, extending the time to June 1, 2011. *Order Granting Mot. to Extend Time* (Docket # 12).

Even though Mr. Widi did not file his objection by June 1, 2011, the Court granted a motion that he filed on June 8, 2011, requesting that the time within which he must either object or file an amended complaint be extended by twenty

additional days.¹ *Second Mot. for Extension of Time* (Docket # 13); *Order Granting Mot. to Extend Time* (Docket # 14). In its Order, the Court made it clear that Mr. Widi must “file either an objection to the Recommended Decision or an Amended Complaint no later than July 19, 2011.” *Id.* at 2. July 19th has come and gone and Mr. Widi has failed to comply with the Order. He failed to file either an amended complaint or an objection to the Recommended Decision.

The Court AFFIRMS the Magistrate Judge’s Amended Recommended Decision dated May 3, 2011 (Docket # 10) and DISMISSES David J. Widi, Jr.’s Complaint (Docket # 1) first because he failed to file a timely objection to the Amended Recommended Decision and second because the Court has performed a de novo review of the Amended Recommended Decision and concurs with the United States Magistrate Judge for the reasons set forth in the Amended Recommended Decision.

SO ORDERED.

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

Dated this 21st day of July, 2011

Plaintiff

DAVID J WIDI, JR

represented by **DAVID J WIDI, JR**
#05168-036

¹ On June 29, 2011, Mr. Widi filed another motion for leave to file amended complaint. *Mot. for Leave to File Am. Compl.* (Docket # 15). On June 16, 2011, the Magistrate Judge terminated the motion for leave to file amended complaint because the Court had already granted Mr. Widi leave to file an amended complaint. *Order Terminating Mot. for Leave to File Am. Compl.* (Docket # 16).

OTISVILLE
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 1000
OTISVILLE, NY 10963
PRO SE

V.

Defendant

JUSTICE, US DEPT OF

Defendant

**US ATTORNEY EXECUTIVE
OFFICE**

Defendant

THOMAS E DELAHANTY, II
*Individually and in his official
capacity as US Attorney for the
District of ME*

Defendant

DARCIE N MCELWEE
*Individually and in her official
capacity as Assistant US Attorney for
the District of ME*

Defendant

US MARSHAL SERVICE

Defendant

KATHY NADEAU
*Individually and in her official
capacity as Administrative Clerk for
the US Marshal Service*

Defendant

UNKNOWN, TINO
*Individually and in his official
capacity as Deputy US Marshal*

Defendant

UNKNOWN, MIKE

*Individually and in his official
capacity as Deputy US Marshal*

Defendant

**STRAFFORD COUNTY SHERIFF
DEPT**

Defendant

WAYNE ESTES

*Individually and in his official
capacity as Strafford County Sheriff*

Defendant

BRUCE BONENFANT

*Individually and in his official
capacity as Strafford County Deputy
Sheriff*

Defendant

JOHN DOE

Defendant

MAINE STATE PRISON

Defendant

PATRICIA BARNHART

*Individually and in her official
capacity as Warden, ME State Prison*

Defendant

DAVID GEORGE

*Individually and in his official
capacity as Captain, ME State Prison*

Defendant

DAVID CUTLER

*Individually and in his official
capacity as Captain, ME State Prison*

Defendant

CURTISS DOYLE

*Individually and in his official
capacity as Sargeant, ME State*

Prison

Defendant

THOMAS DOLBIER

*Individually and in his official
capacity as Correctional Officer, ME
State Prison*

Defendant

**CORRECTIONAL MEDICAL
SERVICES INC**

Defendant

VIOLET HANSON

*Individually and in her official
capacity as Medical Director, ME
State Prison*

Defendant

JANE DOES 1-2

Defendant

JAMES S HEWES

Defendant

PETER E RODWAY

V.

Notice Only Party

**MAINE ATTORNEY GENERAL -
PRISONER CASES**