

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

CAROL MURPHY, )  
 )  
 Plaintiff, )  
 )  
 v. ) 1:12-cv-00101-JAW  
 )  
 CORIZON, et al., )  
 )  
 Defendants. )

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

The United States Magistrate Judge filed with the Court on July 6, 2012 her Recommended Decision. The Plaintiff filed her objections to the Recommended Decision on July 23, 2012; Defendants Scott Burnheimer, Maine Department of Corrections, and Joseph Ponte filed their waiver of reply to the objections on July 26, 2012. 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.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.

2. It is further ORDERED that Defendants Scott Burnheimer, Maine Department of Corrections, and Joseph Ponte's Motion to Dismiss (Docket # 15) be and hereby is GRANTED with prejudice in both their personal and official capacities.
3. It is further ORDERED that all official capacity claims for monetary damages against the State of Maine, whether brought against Ponte, Burnheimer, or the Maine Department of Corrections, be dismissed with prejudice.

SO ORDERED.

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

Dated this 22nd day of August, 2012

**Plaintiff**

**CAROL MURPHY**

represented by **CAROL MURPHY**  
MAINE CORRECTIONAL  
CENTER  
17 MALLISON FALLS RD  
WINDHAM, ME 04082  
PRO SE

V.

**Defendant**

**CORIZON**

represented by **ROBERT C. HATCH**  
THOMPSON & BOWIE, LLP  
THREE CANAL PLAZA  
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PORTLAND, ME 04112  
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rhatch@thompsonbowie.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**RICH HALLWORTH**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**KEN TOPEL**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**HOPE LEBLANC**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**PRAVEEN PAVULURU**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**LARRY RUDZINSKY**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JOSEPH PONT**

*TERMINATED: 08/22/2012*

represented by **JAMES E. FORTIN**  
OFFICE OF THE ATTORNEY  
GENERAL  
HEALTH AND HUMAN  
SERVICES DIVISION  
SIX STATE HOUSE STATION  
AUGUSTA, ME 04333  
207-626-8800  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**SCOTT BURNHEIMER**

*TERMINATED: 08/22/2012*

represented by **JAMES E. FORTIN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**MAINE DEPARTMENT OF  
CORRECTIONS**

*TERMINATED: 08/22/2012*

represented by **JAMES E. FORTIN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DR STOCKWELL**

represented by **ROBERT C. HATCH**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DR SUNDERLAND**

*TERMINATED: 04/24/2012*

V.

**Notice Only Party**

**MAINE ATTORNEY**

**GENERAL - PRISONER**

**CASES**

*TERMINATED: 05/09/2012*