

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA)
)
 v.) 1:12-cr-00027-JAW-1
)
CAROLE SWAN,)
)
 Defendant.)

**ORDER AFFIRMING THE RECOMMENDED DECISION OF
THE MAGISTRATE JUDGE ON MOTION TO DISMISS**

The United States Magistrate Judge filed a Recommended Decision on the Plaintiff's, Carole Swan's, motion to dismiss Counts Fourteen through Seventeen of the Indictment as multiplicitous with the Court on November 26, 2012 (ECF No. 77). The Magistrate Judge recommended that the Court dismiss Counts Thirteen through Seventeen of the Indictment and grant the Government leave to obtain a superseding indictment. *Id.* at 1. On December 12, 2012, the Government filed its objections to the Recommended Decision (ECF No. 84), and Ms. Swan responded to those objections on January 2, 2013 (ECF No. 95). 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 Magistrate Judge's recommendations 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 (ECF No. 77) is hereby AFFIRMED.

2. It is further ORDERED that the Motion to Dismiss (ECF No. 48) be and hereby is GRANTED. Counts Thirteen through Seventeen of Carole Swan's Indictment (ECF No. 1) are DISMISSED and the Government is GRANTED leave to obtain a superseding indictment.

SO ORDERED.

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

Dated this 25th day of February, 2013

Defendant (1)

CAROLE SWAN

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Plaintiff

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