

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MARK MCCURDY,)
)
 Plaintiff,)
)
 v.) 1:13-cv-00277-JAW
)
 DONALD SMITH, et al.,)
)
 Defendant.)

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

The United States Magistrate Judge filed with the Court on December 31, 2013 his Recommended Decision (ECF No. 18). Mr. McCurdy filed his objections to the Recommended Decision on January 16, 2014 (ECF No. 19) and the Defendants filed their response to the objections on January 20, 2014 (ECF No. 22). Mr. McCurdy also moved to stay proceedings on January 16, 2014 (ECF No. 20); the Defendants opposed that motion on January 20, 2014 (ECF No. 21). 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 his Recommended Decision, and determine that no further proceeding is necessary. Furthermore, Mr. McCurdy's assertion of "judicial economy" in support of his motion to stay lacks merit.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Defendants' Motion to Dismiss (ECF No. 12) be and hereby is GRANTED.
3. It is further ORDERED that the Plaintiff's Motion to Stay (ECF No. 20) be and hereby is DENIED.

SO ORDERED.

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

Dated this 19th day of February, 2014

Plaintiff

MARK MCCURDY

represented by **MARK MCCURDY**
11143-036
EDGEFIELD
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 725
EDGEFIELD, SC 29824
PRO SE

V.

Defendant

DONALD SMITH

*In his capacity as High Sheriff,
Washington County Sheriff's Dept.*

represented by **JOHN K. HAMER**
RUDMAN & WINCHELL
84 HARLOW STREET
P.O. BOX 1401
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ATTORNEY TO BE NOTICED

Defendant

BETSY FITZGERALD

*In her capacity as County Manager of
Washington County, Maine*

represented by **JOHN K. HAMER**

(See above for address)

ATTORNEY TO BE NOTICED