

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

DUSTIN DON BADGER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:15-cv-00517-JAW
	)	
CORRECT CARE	)	
SOLUTIONS, et al.,	)	
	)	
Defendants.	)	

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

No objection having been filed to the Magistrate Judge's Recommended Decision issued February 17, 2016 (ECF No. 18), nor to the Magistrate Judge's Recommended Decision issued March 7, 2016 (ECF No. 26), the Recommended Decisions are accepted.

The Court's multiple attempts to serve Mr. Badger with the Recommended Decisions were unsuccessful. The Clerk's Office mailed to Mr. Badger at his Maine State Prison address the February 17, 2016 Recommended Decision (ECF No. 18), which was returned as undeliverable on February 29, 2016. (ECF No. 24). Having learned from Defendants Manning and Mayor that Mr. Badger had been released from the Maine State Prison on February 5, 2016 (ECF No. 20), the February 17, 2016 Recommended Decision was mailed to Mr. Badger at the Trinity Shelter in Skowhegan, Maine, but was also returned as undeliverable on March 3, 2016. (ECF No. 25). Lastly, the Clerk's Office attempted to mail Mr. Badger the

March 7, 2016 Recommended Decision (ECF No. 26) by addressing it to the Trinity Shelter, but it too was returned as undeliverable on March 17, 2016. (ECF No. 27).

“A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address.” *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988). The Court is unaware of Mr. Badger’s current address and has no means of attaining it.

Having reviewed the Magistrate Judge’s Recommended Decisions with an excess of caution the Court concludes that, even if Mr. Badger had objected to the Recommended Decisions, the Court would still affirm the Magistrate Judge’s recommendations to dismiss Maine State Prison Medical Department as a party-defendant (ECF No. 18), and to dismiss Mr. Badger’s claim against Correct Care Solutions without prejudice (ECF No. 26).

Accordingly, it is hereby ORDERED that the Plaintiff’s Complaint (ECF No. 1) be and hereby is DISMISSED without prejudice as to defendant Correct Care Solutions and that Maine State Prison Medical Department be and hereby is DISMISSED as a party-defendant.

SO ORDERED.

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

Dated this 30th day of March, 2016