

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

BRENDA ARMSTEAD,
Plaintiff

v.

WILLIAM M. HOEVELER,
Defendant

Civil No. 02-248-P-C

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

The United States Magistrate Judge having filed with the Court on December 27, 2002, with copies to the *pro se* Plaintiff and to counsel, her Recommended Decision herein (Docket Item No. 7); and Plaintiff having filed her objection thereto on January 7, 2003 (Docket Item No. 8);¹ and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and this Court having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, and concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and having determined that no further proceeding is necessary; it is

ORDERED as follows:

¹The Court doubts that an objection to the Recommended Decision has been properly filed under the applicable rules since Plaintiff's only response to the Recommended Decision has been to file a copy of the Recommended Decision with brief long-hand comments penned on it. In the interests of judicial efficiency in this particular case, the Court has elected to treat that filing as a

- (1) The Plaintiff's objection is hereby **DENIED**;
- (2) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;
- (3) Plaintiff's Complaint is hereby **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) because it does not state a claim upon which relief can be granted.

So ORDERED.

Gene Carter
Senior District Judge

Dated at Portland, Maine this 9th day of January, 2003.

BRENDA ARMSTEAD
plaintiff

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[COR LD NTC] [PRO SE]
2828 61 ST APT 603
GAL, TX 77551

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functionally sufficient objection to the Recommended Decision and has accorded *de novo* review to it.