

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Case No. 07-cv-00114-LTB-MEH

MACK W. THOMAS,

Plaintiff,

v.

JOE ORTIZ, Executive Director of D.O.C., and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Defendants.

ORDER

This matter is before me on the Recommendation of the Magistrate Judge that Applicant's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (Doc 3) be denied and the action dismissed with prejudice. The Recommendation was issued and served on January 6, 2010. The Applicant has filed timely specific objections to the Magistrate Judge's Recommendation. I have reviewed the Recommendation *de novo* in light of the Applicant's objections to it and the file and record in this case. On *de novo* review, I conclude that the Magistrate Judge's thorough, comprehensive, and well-reasoned recommendation is correct. Accordingly

IT IS ORDERED that the Applicant's 28 U.S.C. § 2254 Petition (Doc 3) is DENIED and the above matter is DISMISSED WITH PREJUDICE.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: February 1, 2010