

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 07-cv-02426-CMA-CBS

EDDIE DEAN FLUKER,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,
NEWTON E. KENDIG,
R. BAUER,
STEVEN NAFZIGER, and
RONNIE WILEY,

Defendants.

**ORDER ADOPTING AND AFFIRMING MAY 25, 2010 RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on Defendants' Motion for Summary Judgment (Doc. # 98), filed December 7, 2009. The motion was referred to Magistrate Judge Craig B. Shaffer for a Recommendation. On May 25, 2010, Magistrate Judge Shaffer issued a Recommendation (Doc. # 111) that Defendants' Motion for Summary Judgment be granted and that summary judgment be entered in favor of Defendants and against Plaintiff. (Recommendation at 26.) The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B), Fed.R.Civ.P. 72(b).

The Recommendation advised the parties that specific written objections were due within 14 days after being served with a copy of the Recommendation. (Recommendation 26-27.) On June 15, 2010, the Court granted Plaintiff an additional

14-day extension to file any objection to the Report and Recommendation which gave Plaintiff until June 21, 2010, to file his objections (Doc. # 114). To date, Plaintiff has not filed any written objections to the Magistrate Judge's Recommendation. The Court has reviewed the Magistrate Judge's Recommendation, and finds that it is correct and should be accepted. Accordingly, it is

ORDERED that the Recommendation of United States Magistrate Judge Craig B. Shaffer (Doc. # 111), filed May 25, 2010, is AFFIRMED and ADOPTED.

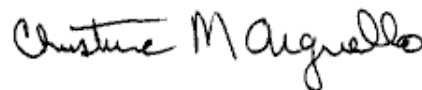
In accordance therewith, it is

FURTHER ORDERED that Defendants' Motion for Summary Judgment (Doc. # 98), filed December 7, 2009, is GRANTED and that summary judgment be entered on the Second Amended Complaint (Doc. # 65) in favor of Defendants and against Plaintiff. It is

FURTHER ORDERED that the Complaint and this civil action are DISMISSED WITH PREJUDICE.

DATED: July 22, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge