

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action No. 08-cv-00620-CBS-KMT

DAVID BAXTER (RICHIE A. HILL),
Plaintiff,

v.

LT. SAMPLES (U.S.P. MARION),
LT. HUGHES,
LT. LOCKRIDGE,
LT MANLY (ADX),
S/OFFICER HUMPPRIES (ADX), and
JEFF JOHNSON (ADX),
Defendants.

ORDER ON RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

This civil action comes before the court on the Recommendation of United States Magistrate Judge Kathleen M. Tafoya (filed March 11, 2009) (doc. # 81) that Mr. Baxter's "Motion for Injunction" (filed December 11, 2008) (doc. # 40) be denied. The Recommendation states that any objections must be filed within ten days after service of the Recommendation on the parties. (See doc. # 81; see also 28 U.S.C. § 636(b)(1)(C)). The Recommendation was served on March 12, 2009. (See doc. # 81, Notice of Electronic Filing). No party has objected to the Recommendation. The court has reviewed the Recommendation, the entire case file, and the applicable law and determined that there "is no clear error on the face of the record." See *Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings"). Accordingly,

IT IS ORDERED that:

1. The Recommendation of United States Magistrate Judge Kathleen M. Tafoya (filed March 11, 2009) (doc. # 81) is ACCEPTED.

2. Mr. Baxter's "Motion for Injunction" (filed December 11, 2008) (doc. # 40)
is DENIED.

DATED at Denver, Colorado, this 20th day of April, 2009.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge