

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Zita Leeson Weinshienk

Civil Action No. 08-cv-00668-ZLW-KMT

ERIC PETERSEN,

Plaintiff,

v.

SAMUEL DUNLAP,
ELIZABETH SCHWARTZ,
GARY MORGAN,
MICHAEL DAVIS,
CHRISTINE TYLER, and
BURL McCULLAR,

Defendants.

ORDER OF DISMISSAL

The matter before the Court is Defendants' Combined Motion to Dismiss (Doc. No. 68). Pursuant to this Court's Order (Doc. No. 21; June 6, 2008), all dispositive motions in this case are referred to Magistrate Judge Kathleen M. Tafoya.¹ On October 22, 2010, Magistrate Judge Tafoya issued her Recommendation (Doc. No. 72) that the motion to dismiss be granted and that the case be dismissed with prejudice. No party filed objections to the Recommendation.

¹See D.C.COLO.LCivR 72.1; 28 U.S.C. § 636(b)(1)(A).

Having reviewed the record and the Recommendation, the Court is satisfied “that there is no clear error on the face of the record.”² Accordingly, the Court accepts and adopts the Recommendation in its entirety, and it is

ORDERED that Defendants’ Combined Motion to Dismiss (Doc. No. 68; May 21, 2010) is granted. It is

FURTHER ORDERED that the Amended Complaint and cause of action are dismissed with prejudice, the parties to pay their own costs and attorney’s fees. It is

FURTHER ORDERED that a separate Judgment shall issue pursuant to Fed. R. Civ. P. 58(a).

DATED at Denver, Colorado, this 1st day of December, 2010.

BY THE COURT:

A handwritten signature in blue ink that reads "Zita Leeson Weinsienk". The signature is written in a cursive style.

ZITA LEESON WEINSHIENK, Senior Judge
United States District Court

²See Fed. R. Civ. P. 72(b) advisory committee’s note; Summers v. Utah, 927 F.2d 1165, 1167 (10th Cir. 1991); Thomas v. Arn, 474 U.S. 140, 150 (1985).