**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF COLORADO**
**LEWIS T. BABCOCK, JUDGE**

Civil Case No. 08-cv-01841-LTB-BNB

SHANNON BASTEDENBECK,
Plaintiff,

v.

ARISTEDESS W. ZAVARAS,
GARY GOLDER,
LARRY REID,
JAMES E. ABBOTT,
KENNETH MARTINEZ,
JOHN O'ROURKE,
Defendants.

---

**ORDER**

---

This case is before me on the recommendation of the Magistrate Judge that the Motion of Defendants Zavaras, Golder, Reid, and Abbott for Summary Judgment (Doc 63) be granted. The Magistrate Judge also recommends that the claim against Defendant O'Rourke be dismissed based on the Plaintiff's failure to exhaust her administrative remedies. Plaintiff, through counsel, has filed her specific written objections to the Magistrate Judge's recommendations. Defendants have filed their response to the Plaintiff's objections. I have therefore reviewed the recommendations *de novo* in light of the file and record in this case. On *de novo* review, I conclude that the recommendations are correct. Accordingly

The Motion for Summary Judgment (Doc 63) is GRANTED.

IT IS FURTHER ORDERED that the claim against Defendant O'Rourke is dismissed based on Plaintiff's failure to exhaust her administrative remedies.

Dockets.Justia.com

IT IS FURTHER ORDERED that counsel shall file a status report **on or before December 28, 2010** regarding Defendant Martinez.

BY THE COURT:

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

DATED: December 14, 2010