

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-01914-REB-KMT

GABRIEL ZAPATA,

Applicant,

v.

J.M. WILNER, Warden, FCI-Florence,

Respondent.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#15] filed March 27, 2009. No objections having been filed to the recommendation, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).¹ Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

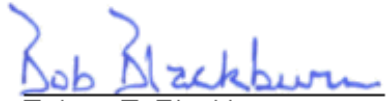
1. That the **Recommendation of United States Magistrate Judge** [#15] filed March 27, 2009, is **APPROVED AND ADOPTED** as an order of this court;

¹ This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122.

2. That the **Application For a Writ of Habeas Corpus Pursuant To 28 U.S.C. § 2241** [#2] filed September 8, 2008, is **DENIED**; and
3. That this case is **DISMISSED WITH PREJUDICE**.

Dated April 7, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge