

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 08-cv-02046-MSK-BNB

AMERIQUEST MORTGAGE COMPANY,

Plaintiff,

v.

KENNETH J. ZIMMERLE, and
GRETCHEN R. ZIMMERLE,

Defendants.

**OPINION AND ORDER ADOPTING RECOMMENDATION AND
ENTERING DEFAULT JUDGMENT**

THIS MATTER comes before the Court pursuant to the September 8, 2009 Recommendation (# 32) of United States Magistrate Judge Boyd N. Boland that the Plaintiff's Motion for Default Judgment (# 9) be granted.

More than 10 days have elapsed since the service of that Recommendation and no party has filed any objections thereto. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). Where no party files objections to a recommendation, the Court applies whatever standard of review to that recommendation that it deems appropriate. *Summers v. State of Utah*, 927 F.2d 1165, 1167 (10th Cir.1991). This Court has reviewed the recommendation under the otherwise applicable *de novo* standard of Fed. R. Civ. P. 72(b).

Upon a *de novo* review, the Court reaches the same findings and conclusions as the Magistrate Judge for the same reasons set forth therein. For the reasons stated therein, the Court **ADOPTS** the Recommendation (# 32) and **GRANTS** the Plaintiff's Motion for Default

Judgment (# 9). Judgment by default against both Defendants shall enter contemporaneously herewith.

Dated this 29th day of September, 2009

BY THE COURT:

Marcia S. Krieger

Marcia S. Krieger
United States District Judge