

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

Civil Case No. 08-cv-02117-REB-KLM

EMMANUEL SANAAH,

Plaintiff,

v.

NURSE DEBB HOWELL,
WARDEN ARELLANO,
MAJOR SCOTT GROVER, Life Safety Coordinator and Maintenance Supervisor, and
MAINTENANCE WORKER LT. BOSLEY,

Defendants.

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

Blackburn, J.

The matter before me is the **Recommendation To Deny Motion To Dismiss as Moot and Order Setting Response Deadline** [#53] filed June 29, 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.

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

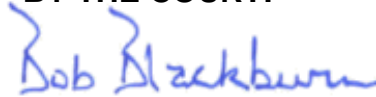
THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation To Deny Motion To Dismiss as Moot and Order Setting Response Deadline** [#53] filed June 29, 2009, is **APPROVED AND ADOPTED** as an order of this court; and

2. That defendants' **Motion To Dismiss** [#32] filed April 8, 2009, is **DENIED AS MOOT**.

Dated July 27, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge