

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 08-cv-02373-CMA-MEH

ROCKLYN F. HOLMES,

Plaintiff,

v.

CAPITAL ONE BANK (USA) NA,
JACQUES A. MACHOL, III, and
LINEBARGER, COGGAN, BLAIR & SAMPSON, LLP,

Defendants

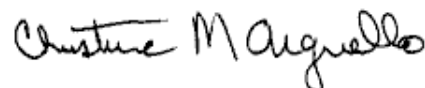
ORDER OF DISMISSAL

Pursuant to Plaintiff's voluntary Notice of Dismissal (Doc. # 23) and in accordance with Magistrate Judge Hegarty's Recommendation dated December 18, 2008 (Doc. # 25), there being no objections filed by any party within the amount of time set forth in the Recommendation (Recommendation at 1), it is

ORDERED that the Complaint and cause of action are DISMISSED WITH PREJUDICE, each party to pay its own costs.

DATED at Denver, Colorado, this 26th day of January, 2009

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Court Judge