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

Civil Action No. 08-cv-02472-CMA-BNB

JAMES FRANCIS SORENSEN,

Plaintiff,

v.

MS. RABLE, Acting Dentist, and
MS. LOHMAN, Acting Dental Technician,

Defendant.

ORDER AFFIRMING AUGUST 19, 2009 RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

This matter is before the Court on Defendants' Motion to Dismiss (Doc. # 11). The Court referred the Motion to the Magistrate Judge for a Recommendation on February 9, 2009. (*See* Doc. # 12.) The Magistrate Judge issued a Recommendation on August 19, 2009 (Doc. # 21). The Magistrate Judge recommended that the Court grant Defendants' Motion. The Recommendation is incorporated herein by reference. *See* 28 U.S.C. § 636(b)(1)(B); Fed.R.Civ.P. 72(b).

The Recommendation advised the parties that specific written objections were due within ten (10) days after being served with a copy of the Recommendation. Despite this advisement, neither party filed objections to the Magistrate Judge's Recommendation.

> "In the absence of timely objection, the district court may review a magistrate . . . [judge's] report under any standard it deems appropriate." *Summers v. Utah,* 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn,* 474 U.S. 140, 150 (1985) (stating that "[i]t does not appear that

> Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

Applying this standard, the Court is satisfied that the Recommendation of the Magistrate Judge is sound and that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(a).

Accordingly, it is

ORDERED that the Recommendation of United States Magistrate Judge (Doc. # 21) is AFFIRMED and ADOPTED; it is

FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. # 11) is GRANTED; and it is

FURTHER ORDERED that this case is DISMISSED.

DATED: September 11, 2009

BY THE COURT:

Christine M. Arguello

CHRISTINE M. ARGUELLO
United States District Judge