

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

Civil Action No. 09-cv-00103-CMA-BNB

NEAL ALLEN MORRIS,

Plaintiff,

v.

ARISTEDES W. ZAVARAS, Executive Director of the DOC,
HOYT BRILL, Warden of KCCC,
MR. WILKERSON, Assistant Warden of KCCC,
MR. WINDSLOW, Legal Access Facilitator of KCCC,
MS. COOPER, Unit Manager of KCCC,
MS. VAUGHN, Case Manager, of KCCC,
MS. MAINE, Private Prison Monitor Unit Staff of KCCC, and
MS. BLAKE, Grievance Officer at KCCC,

Defendants.

**ORDER ADOPTING AND AFFIRMING OCTOBER 27, 2009
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on Plaintiff's Request for Judicial Notice and Petition for Immediate Intervention and Oversight By the District Court (Doc. # 23), filed June 9, 2009. The motion was referred to Magistrate Judge Boyd N. Boland for a Recommendation by Order of Reference dated June 9, 2009. Magistrate Judge Boland issued a Recommendation on October 27, 2009 that the above-referenced motion be denied. (Recommendation at 2.) 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. (Recommendation at 2.) Despite this advisement, no objections to the Magistrate Judge's Recommendation were filed by either party.

"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, I am satisfied that the Recommendation of Magistrate Judge Boland is sound and that there is no clear error on the face of the record. See Fed.R.Civ.P. 72(a). I agree that the above-referenced request for intervention should be denied. Accordingly, it is hereby

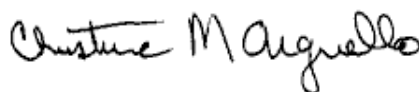
ORDERED that the Recommendation of United States Magistrate Judge Boyd N. Boland (Doc. # 36), filed October 27, 2009, is AFFIRMED and ADOPTED.

In accordance therewith, it is

FURTHER ORDERED that Plaintiff's Request for Judicial Notice and Petition for Immediate Intervention and Oversight By the District Court (Doc. # 23) is DENIED.

DATED: December 15, 2009

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge