

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

Civil Case No. 09-cv-00758-REB-CBS

CLAIR LLOYD BEAZER,

Applicant,

v.

WARDEN SUSAN JONES OF COLORADO STATE PENITENTIARY, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO, JOHN SUTHERS,

Respondents.

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

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#27]¹ filed July 15, 2010. 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).² Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

¹ "[#27]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

² This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122.

1. That the the **Recommendation of United States Magistrate Judge** [#27] filed July 15, 2010, is **APPROVED AND ADOPTED** as an order of this court; and

2. That the **Application For Writ of Habeas Corpus Pursuant To 28 U.S.C. § 2254** [#1] filed April 3, 2009, is **DENIED**;

3. That there is no basis on which to issue a certificate of appealability pursuant to 28 U.S.C. § 2253(c); and

4. That this civil action is **DISMISSED WITH PREJUDICE**.

Dated December 21, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge