

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

Civil Action No. 09-cv-01041-CMA-KLM

EARL WILLIAM CAMPBELL, JR.,

Plaintiff,

v.

KEVIN MILYARD,  
DR. FLOYD POHLMAN, M.D.,  
DR. GAGAN SINGH, M.D.,  
DR. PAULA FRANTZ, M.D.,  
DR. J. G. FORTUNATO, D.O.,  
STERLING REGIONAL MED. CENTER,  
BEVERLY DOWIS, H.S.A.,  
KATHERN RITTENHOUSE, P.A.C.,  
BRIAN WEBSTER, P.A.C.,  
JOANN STOCK, P.A.C., and  
SERGEANT JOHNSON, LU-3,

Defendants.

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**ORDER ADOPTING AND AFFIRMING DECEMBER 31, 2009  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

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This matter is before the Court on the Recommendation of United States Magistrate Judge filed on December 31, 2009 (Doc. # 59). The Magistrate Judge recommends that Defendant Brian Webster be dismissed without prejudice because Plaintiff failed to show cause as to why the Court should not recommend dismissal of Defendant Webster. (See Order to Show Cause, Doc. # 30.) Plaintiff has not filed any specific written objections to the Magistrate Judge's recommendation. The Court finds

that the Magistrate Judge's recommendation is correct and should be accepted.

Accordingly, it is

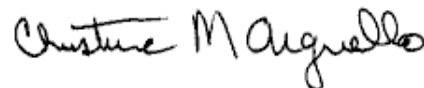
ORDERED that the Recommendation of United States Magistrate Judge (Doc. # 59) is accepted, and Brian Webster is DISMISSED WITHOUT PREJUDICE as a Defendant in this case. It is

FURTHER ORDERED that State Defendants' Motion in Support of the Court's Order to Show Cause Filed on October 2, 2009 (Doc. # 48) is DENIED AS MOOT. It is

FURTHER ORDERED that the case caption on all subsequent filings shall be amended to reflect the removal of Brian Webster as a Defendant in this case, in accordance with this Court's Order.

DATED: March 08, 2010

BY THE COURT:

A handwritten signature in black ink, reading "Christine M. Arguello". The signature is written in a cursive, flowing style.

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CHRISTINE M. ARGUELLO  
United States District Judge