

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

Civil Action No. 09-cv-01398-CMA-MEH

RENEE BRYANT,

Plaintiff,

v.

CITY AND COUNTY OF DENVER,

Defendant.

**ORDER ADOPTING AND AFFIRMING DECEMBER 7, 2010 RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the December 7, 2010 Recommendation by the Magistrate judge that the District Court dismiss this case with prejudice for Plaintiff's failure to prosecute this action, and deny Defendant's Motion for Summary judgment (Doc. # 40), filed September 20, 2010 as moot. 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 fourteen (14) days after being served with a copy of the Recommendation. 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”).

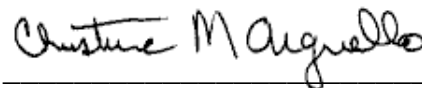
The Court has reviewed all the relevant pleadings. Based on this review, the Court concludes that the Magistrate Judge’s thorough and comprehensive analyses and recommendations are correct and that “there is no clear error on the face of the record.” Fed. R. Civ. P. 72 advisory committee’s note. Therefore, the Court ADOPTS the Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is:

ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 47), filed December 7, 2010, is ACCEPTED, and, for the reasons cited therein, the Court DISMISSES this case with prejudice for plaintiff’s failure to prosecute this action, and Defendant’s Motion for Summary judgment (Doc. # 40), filed September 30, 2010, is denied as moot.

DATED: December 27, 2010.

BY THE COURT:

A handwritten signature in black ink, reading "Christine M. Arguello". The signature is written in a cursive, flowing style. The first name "Christine" is written in a larger, more prominent script, followed by "M." and "Arguello". The signature is positioned above a horizontal line.

CHRISTINE M. ARGUELLO
United States District Judge