

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

Civil Case No. 09-cv-01787-REB-BNB

ROBERT E. LEWIS,

Plaintiff,

v.

SGT. M. RICHARD,

Defendant.

ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#34] filed December 3, 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).¹ 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:

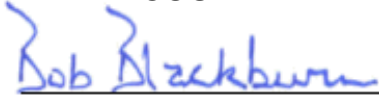
1. That the **Recommendation of United States Magistrate Judge** [#34], filed December 3, 2010, is **APPROVED AND ADOPTED** as an order of this court; and
2. That defendant's **Motion for Summary Judgment** [#25] filed May 26, 2010, is **GRANTED**;

¹ This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122.

3. That plaintiff's claims against defendant are **DISMISSED WITH PREJUDICE**;
4. That judgment **SHALL ENTER** on behalf of defendant, Sgt. M. Richard, against plaintiff, Robert E. Lewis, on all claims for relief and causes of action; and
5. That defendant is **AWARDED** his costs, to be taxed by the Clerk of the Court pursuant to Fed.R.Civ.P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated December 30, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge