

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01940-PAB-MJW

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONI K. D'ANDREA,
HOWARD MITCHELL GILBERT, and
PUBLIC SERVICE CREDIT UNION,

Defendants.

MINUTE ORDER

Order Entered by Judge Philip A. Brimmer

On September 27, 2010, the Court accepted [Docket No. 78] the Recommendation of United States Magistrate Judge [Docket No. 73] that “[j]udgment should enter in favor of the United States and against defendant D’Andrea pursuant to [Colo. Rev. Stat.] § 38-8-108 . . . and alternatively the federal tax liens encumbering the subject property should be ordered foreclosed, the subject property should be sold, and the proceeds should be used to satisfy the federal tax liens of Monty L. Cook.” Docket No. 73 at 25. On September 29, 2010, judgment entered pursuant to the Court’s September 27 order in favor of plaintiff and against defendants.

Plaintiff and defendants Howard Mitchell Gilbert and Public Service Credit Union believe that a claim remained after the entry of judgment and have filed a joint motion to dismiss that remaining claim with prejudice [Docket No. 81]. To the extent a claim survived the judgment, it was dismissed with prejudice as of the filing of the joint motion to that effect signed by all the remaining parties. See Fed. R. Civ. P. 41(a)(1)(A)(ii). No further action is necessary.

DATED January 6, 2011.