

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 09-cv-02021-LTB-MJW

CAREY A. MURRAY,

Plaintiff,

v.

TASHA DOBBS,

Defendant.

---

**ORDER**

---

This case is before me on Plaintiff's Motion for Relief from Judgment (Doc 52 - filed October 14, 2010). In it, Plaintiff asserts that his objections to the Magistrate Judge's Recommendation were indeed timely under the prison mail deposit rule.

On September 10, 2010, I entered my Order striking Plaintiff's response as untimely but in the alternative concluding that the Magistrate Judge's Recommendation is nevertheless correct. Out of an abundance of caution, I have re-reviewed the Magistrate Judge's Recommendation *de novo* in light of the file and record in this case. I again conclude that the Magistrate Judge's Recommendation is correct and order anew that the action is dismissed.

BY THE COURT:

s/Lewis T. Babcock  
Lewis T. Babcock, Judge

DATED: October 27, 2010