

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 09-cv-02133-WJM-CBS

MATTHEW TAZIO REDMON,

Plaintiff,

v.

ARISTEDES ZAVARAS, [former] Executive Director, CDOC, in his individual capacity, CDOC OFFICER CATHIE HOLST, Assistant Director, CDOC Correctional Legal Services, in her individual capacity, CDOC OFFICER KEITH NORDELL, Acting Assistant Director, CDOC Correctional Legal Services, in his official capacity, and TOM CLEMENTS, Executive Director, CDOC, in his official capacity,

Defendants.

**ORDER AFFIRMING JUNE 16, 2011 RECOMMENDATION AND
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

This matter is before the Court on the June 16, 2011 Recommendation by United States Magistrate Judge Craig B. Shaffer that Defendants' Motion for Summary Judgment (ECF No. 68) be GRANTED, and that summary judgment be entered on Plaintiff's Second Amended Complaint. (ECF No. 92.) 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 days after being served with a copy of the Recommendation. (ECF No. 92 at 24-25.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have to date been 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 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.” See Fed. R. Civ. P. 72(b) Advisory Committee’s note. Therefore, the Court hereby ADOPTS the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is hereby ORDERED that the Recommendation of the United States Magistrate Judge (ECF No. 92), filed June 16, 2011, is ACCEPTED. For the reasons cited therein, Defendants’ Motion for Summary Judgment is GRANTED and this case is DISMISSED WITH PREJUDICE. The Clerk shall enter judgment in favor of Defendants.

Dated this 13th day of July, 2011.

BY THE COURT:



William J. Martínez
United States District Judge