

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

Civil Case No. 09-cv-02523-REB-MEH

RONALD L. TRUJILLO, an individual,

Plaintiff,

v.

MISS CAMPBELL, (Deputy Sheriff),
MR. CHRISTIAN, (Deputy Sheriff),
MR. CAMPBELL, (Deputy Sheriff), and
SGT. MISS. KINNER (Deputy Sheriff),

Defendants.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Second Recommendation of United States Magistrate Judge** [#65]¹ filed May 6, 2011. 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).² Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.

¹ “[#65]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

² This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122. In addition, because plaintiff is proceeding *pro se*, I have construed his pleadings more liberally and held them to a less stringent standard than formal pleadings drafted by lawyers. *See Erickson v. Pardus*, 551 U.S. 89, 94, 127 S. Ct. 2197, 2200, 167 L.Ed.2d 1081 (2007); *Andrews v. Heaton*, 483 F.3d 1070, 1076 (10th Cir. 2007); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991) (citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 595-96, 30 L.Ed.2d 652 (1972)).

THEREFORE, IT IS ORDERED as follows:

1. That the **Second Recommendation of United States Magistrate Judge** [#65] filed May 6, 2011, is **APPROVED AND ADOPTED** as an order of this court;

2. That plaintiff's Claim One is **DISMISSED WITH PREJUDICE** pursuant to Fed.R.Civ.P. 41(b) for failure to prosecute, as detailed fully in the instant and prior recommendations;

3. That plaintiff's remaining claims are **DISMISSED WITHOUT PREJUDICE** pursuant to Fed.R.Civ.P. 41(b) for failure to prosecute, as detailed fully in the instant and prior recommendations; and

4. That judgment **SHALL ENTER** on behalf of defendants, Miss Cambell (Deputy Sheriff), Mr. Christian (Deputy Sheriff), Mr. Cambell (Deputy Sheriff), and Sgt. Miss. Kinner (Deputy Sheriff), against plaintiff, Ronald L. Trujillo, as to all claims for relief and causes of action; provided, that judgment as to Claim One **SHALL BE** with prejudice, whereas the judgment as to all other claims **SHALL BE** without prejudice.

Dated August 31, 2011, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge