

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

Civil Case No. 09-cv-02817-REB-MEH

JUSTIN JOSEPH RUEB,

Plaintiff,

v.

ARISTEDES ZAVARAS, et al.,

Defendants.

**OVERRULING OBJECTIONS TO AND ADOPTING
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matters before me are (1) the magistrate judge's **Recommendation To Deny Plaintiff's Motion for Temporary Restraining Order** [#57], filed April 23, 2010; (2) **Plaintiff's Objection and Request for Immediate De Novo Review Regarding the Magistrate's 4-23-10 Recommendation of Denial of the Plaintiff's "Motion for Temporary Restraining Order"** [#65], filed April 28, 2010; (3) the magistrate judge's subsequent, related **Recommendation** [#69], filed April 29, 2010; and (4) **Plaintiff's Renewed Objection to the Magistrate's 4-24-10 Recommendation for the Denial of Issuance of Temporary Restraining Order, and Request for Telephone Hearing, and Immediate De Novo Review** [#72], filed May 5, 2010. I overrule the objections, adopt the recommendations, and deny plaintiff's motions for a temporary restraining order.

As required by 28 U.S.C. § 636(b), I have reviewed *de novo* all portions of the recommendations to which objections have been filed, and have considered carefully the recommendation, objections, and applicable caselaw. Moreover, 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. Belmon***, 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)). The recommendations are detailed and well-reasoned. Contrastingly, plaintiff's objections are without merit.

Therefore, I find and conclude that the arguments advanced, authorities cited, and findings of fact, conclusions of law, and recommendations proposed by the magistrate judge should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

1. That the magistrate judge's **Recommendation To Deny Plaintiff's Motion for Temporary Restraining Order** [#57], filed April 23, 2010; (2) **Plaintiff's Objection and Request for Immediate De Novo Review Regarding the Magistrate's 4-23-10 Recommendation of Denial of the Plaintiff's "Motion for Temporary Restraining Order"** [#65], filed April 28, 2010, is **APPROVED** and **ADOPTED** as an order of this court;

2. That the magistrate judge's **Recommendation** [#69], filed April 29, 2010, also is **APPROVED** and **ADOPTED** as an order of this court;

3. That **Plaintiff's Objection and Request for Immediate De Novo Review Regarding the Magistrate's 4-23-10 Recommendation of Denial of the Plaintiff's "Motion for Temporary Restraining Order" [#65]**, filed April 28, 2010, as well as **Plaintiff's Renewed Objection to the Magistrate's 4-24-10 Recommendation for the Denial of Issuance of Temporary Restraining Order, and Request for Telephone Hearing, and Immediate De Novo Review [#72]**, filed May 5, 2010, are **OVERRULED**;

4. That plaintiff's **Motion for Temporary Restraining Order [#45]**, filed April 19, 2010, is **DENIED**; and

5. That plaintiff's **Supplemental Motion for Temporary Restraining Order, and/or Motion To Reconsider any denials Already Possibly Made Regarding the Original TRO Motion [#63]**, filed April 27, 2010, is **DENIED**.

Dated May 7, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge