

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

Civil Case No. 10-cv-00302-REB-MEH

SHERRI LAFORCE,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

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

Blackburn, J.

This matter is before me on the following: (1) the **Plaintiff's Motion To Amend Suit To Stop Unlawful Foreclosure** [#54]¹ filed June 13, 2011; and (2) the **Recommendation of United States Magistrate Judge** [#64] filed August 10, 2011. No objections to the recommendation have been filed by the parties. Therefore, I review the recommendation only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).² Finding no error, much less plain error, in the magistrate judge's recommended disposition, I

¹ “[#54]” 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)).

find and conclude that recommendation should be approved and adopted.

In her present motion, the plaintiff seeks permission to file a 34 page amended complaint. In the recommendation the magistrate judge details the reasons why the motion to amend should be denied based on the undue delay in amending the complaint. The plaintiff has failed to demonstrate that oversight, inadvertence, or excusable neglect excuse the substantial delay in filing her motion to amend her complaint.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#64] filed August 10, 2011, is **APPROVED** and **ADOPTED** as an order of this court; and

2. That the **Plaintiff's Motion To Amend Suit To Stop Unlawful Foreclosure** [#54] filed June 13, 2011, is **DENIED**.

Dated February 29, 2012, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge