

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

Civil Action No. 10–cv–01869–WJM–KMT

JOHN SMITH #133989,

Plaintiff,

v.

RANDY ANDERSON, Lieutenant #2448, and
KIP STRODE, Lieutenant #1451,

Defendants.

**ORDER ADOPTING RECOMMENDATION OF UNITED STATES MAGISTRATE
JUDGE AND GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

This matter is before the Court on the August 24, 2012 Recommendation of United States Magistrate Judge Kathleen M. Tafoya (the "Recommendation") (ECF No. 53) that Defendants' Motion for Summary Judgment (ECF No. 45) be granted. 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. 53, at 17.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have to date been filed by either party.

The Court concludes that the Magistrate Judge's analysis was thorough and sound, and that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only

satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); see also *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”).

In accordance with the foregoing, the Court ORDERS as follows:

1. The Magistrate Judge’s August 24, 2012 Recommendation (ECF No. 53) is ACCEPTED;
2. Defendants’ Motion for Summary Judgment (ECF No. 45) is GRANTED; and
3. The Clerk shall enter judgment in favor of Defendants on all claims. Each party shall his own attorney’s fees and costs.

Dated this 14th day of September, 2012.

BY THE COURT:



William J. Martinez
United States District Judge