

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 10-cv-02730-CMA-MEH

MATTHEW SNIDER, and
JEANETTE SNIDER,

Plaintiffs,

v.

BAC HOME LOANS SERVICING, LP, and
FEDERAL HOME LOAN MORTGAGE CORPORATION,

Defendants.

**ORDER ADOPTING AND AFFIRMING JANUARY 26, 2011 RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on Magistrate Judge Michael E. Hegarty's Recommendation To Dismiss for Failure To Prosecute (Doc. # 47), filed January 26, 2011. 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 14 days after being served with a copy of the Recommendation. (Recommendation at 1.) Despite this advisement, no objections to the Magistrate Judge's Recommendation were 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").

Applying this standard, I am satisfied that the Recommendation of Magistrate Judge Hegarty is sound and that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(a). I agree that the above-captioned action should be dismissed. Accordingly, it is hereby

ORDERED that the Recommendation of United States Magistrate Judge Michael E. Hegarty (Doc. # 47), filed January 26, 2011, is AFFIRMED and ADOPTED.

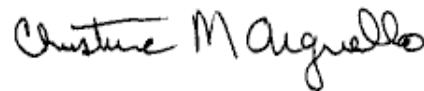
In accordance therewith, it is

FURTHER ORDERED that:

1. This case is hereby DISMISSED WITH PREJUDICE for Plaintiffs' failure to prosecute;
2. Plaintiffs' Motion for Temporary Restraining Order (Doc. # 11; Defendants' Motion to Dismiss First Amended Complaint (Doc. # 20); and Plaintiffs' Emergency Motion to Set Aside Sale, Vacate Default Judgment and Allow Defendants [sic] Back in Their Home (Doc. # 24) are DENIED AS MOOT.

DATED: February 16, 2011

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge