

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

Civil Action No. 11-cv-00169-CMA-KLM

JOSE MEDINA ESCOBAR,

Plaintiff,

v.

CAPTAIN H. HUERTAS,
LIEUTENANT TITEMAN,
SERGEANT FRETWELL,
SERGEANT WEST,
C/O P. ARCHULETA,
C/O SUTER,
C/O J. ENGLEHART, and
C/O D/ JOHNSON,

Defendants.

**ORDER ADOPTING AND AFFIRMING NOVEMBER 4, 2011 RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the November 4, 2011 Recommendation by United States Magistrate Judge Kristen L. Mix. (Doc. # 41.) In the Recommendation, the Magistrate Judge recommended that Plaintiff's "Motion for a Prohibitory Injunction" (Doc. # 37) be denied.

The Recommendation also advised the parties that specific written objections were due within fourteen (14) days after being served with a copy of the Recommendation. (Doc. # 41 at 5.) On November 16, 2011, Plaintiff filed a motion for extension of time, which the Magistrate Judge granted the next day. (Doc. ## 44, 46.) With the extension, Plaintiff had up to and including December 19, 2011 by which to file any objections to the Magistrate Judge's Recommendation. Despite this extension,

however, Plaintiff did not file any objections.

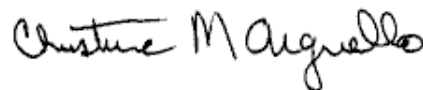
“In the absence of timely objection, the district court may review a magistrate . . . [judge’s] report under any standard it deems appropriate.” *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (stating that “[i]t does not appear that Congress 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.”).

The Court has reviewed all the relevant pleadings concerning Plaintiff’s motion for a prohibitory injunction and the Recommendation. Based on this review, the Court concludes that the Magistrate Judge’s thorough and comprehensive analyses and recommendations are correct and that “there is no clear error on the face of the record.” Fed. R. Civ. P. 72 advisory committee’s note. Therefore the Court ADOPTS the Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 41) is AFFIRMED and ADOPTED. It is further ORDERED that Plaintiff’s “Motion for a: Prohibitory Injunction” (Doc. # 37) is DENIED.

DATED: December 28, 2011

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge