

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

Civil Action No. 11-cv-01459-CMA-KLM

LORAL HUFFMAN,

Plaintiff,

v.

DR. ALLRED,
DR. CARTER,
SANCHEZ, Case Manager,
DERR, Unit Manager,
JOHN DOE, Mailroom Supervisor,
JANE DOE, Food Supervisor,
BUCKNER, Investigator,
LINCOLN, D.H.O., and
CRANK, Trust Manager

Defendants.

**ORDER ADOPTING AND AFFIRMING JANUARY 10, 2013
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the January 10, 2013 Recommendation by United States Magistrate Judge Kristen L. Mix that Defendants' Motion for Summary Judgment (Doc. # 229) be granted, all other pending motions be denied as moot (Doc. ## 224, 297, 306), and that Plaintiff's Amended Complaint (Doc. # 70) be dismissed without prejudice. (Doc. # 309 at 14.) 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 (14) days after being served with a copy of the Recommendation. (Doc. # 309 at 14.) Despite this advisement, no objections to Magistrate Judge Mix's

Recommendation have been 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.”)).

The Court has reviewed all the relevant pleadings concerning Defendants’ Motion for Summary Judgment and the Recommendation. Based on this review, the Court concludes that Magistrate Judge Mix’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 Magistrate Judge Mix as the findings and conclusions of this Court.

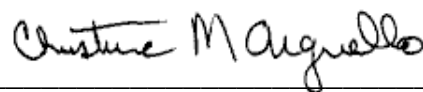
Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 309) is AFFIRMED and ADOPTED.

It is FURTHER ORDERED that Defendants’ Motion for Summary Judgment (Doc. # 229) is GRANTED and this case is DISMISSED WITHOUT PREJUDICE.

It is FURTHER ORDERED that Defendants’ Motion to Dismiss (Doc. # 224) and Plaintiff’s Motions for Preliminary Injunction (Doc. ## 297, 306) be DENIED AS MOOT. This case is DISMISSED IN ITS ENTIRETY.

DATED: February 04, 2013

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge