

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

Civil Action No. 11-cv-01559-WJM-KLM

J & J PRODUCTIONS, INC., as Broadcast Licensee of the November 13, 2010,
Pacquiao/Margarito Broadcast,

Plaintiff,

v.

JIMMY L. TWISS, individually, and
JIMMY L. TWISS, d/b/a/ Twisters Restaurant & Cantina, a/k/a Twister Restaurant,

Defendants.

**ORDER ADOPTING RECOMMENDATION AND GRANTING
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

This matter is before the Court on the March 2, 2012 Recommendation by United States Magistrate Judge Kristen L. Mix that Plaintiff's Motion for Default Judgment (ECF No. 10) be granted. (ECF No. 17.) 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. 17 at 13-14.) Despite this advisement, no objections were filed. The lack of objection is unsurprising given that Defendant Jimmy Twiss has still not appeared on behalf of himself or his business, Twisters.

“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”). Having reviewed the record in this case, the Court concludes that the Magistrate Judge’s thorough analysis is correct and that “there is no clear error on the face of the record.” See Fed. R. Civ. P. 72(b) advisory committee’s note.

Accordingly, the Court ORDERS as follows:

1. The Recommendation of the United States Magistrate Judge (ECF No. 17), filed March 2, 2012, is ACCEPTED;
2. Plaintiff’s Motion for Default Judgment (ECF No. 10) is GRANTED; and
3. The Clerk shall enter judgment in favor of Plaintiff and against Defendant Jimmy Twiss, individually and doing business as Twisters Restaurant & Cantina, in the total amount of \$47,490.50.

Dated this 29th day of March, 2012.

BY THE COURT:



William J. Martínez
United States District Judge