

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

Civil Action No. 11-cv-01630-CMA-KLM

NANETTE K. YOKOMIZO,

Plaintiff,

v.

DEUTSCHE BANK SECURITIES, INC., a Delaware corporation,
OPTION ONE MORTGAGE COMPANY d/b/a AMERICAN HOME MORTGAGE
SERVICING, INC., a Texas corporation, and
AT DAWN, LLC, a Colorado corporation,

Defendants.

**ORDER ADOPTING AND AFFIRMING OCTOBER 21, 2011,
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kristen L. Mix pursuant to 28 U.S.C. § 636. (Doc. # 3.) On October 21, 2011, the Magistrate Judge issued a Recommendation (Doc. # 31), advising that the motions to dismiss of Defendant At Dawn, LLC (Doc. # 12) and Defendants Deutsche Bank National Trust Company and American Home Mortgage Servicing, Inc. (Doc. # 19) be granted. The recommendation stated that “the parties shall have fourteen (14) days . . . to serve and file any written objections in order to obtain reconsideration by the District Judge to whom this case is assigned.” (Doc. # 31.) Plaintiff has not filed any objections.

“In the absence of timely objection, the district court may review a magistrate’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) (observing 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 Recommendation, the Court discerns no clear error on the face of the record and determines that the Magistrate Judge’s reasoning is sound.

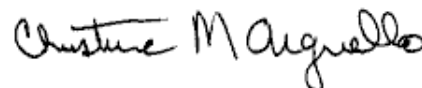
Accordingly, it is hereby ORDERED that the Recommendation of United States Magistrate Judge Kristen L. Mix (Doc. # 31) is AFFIRMED and ADOPTED. Pursuant to the Recommendation, it is

FURTHER ORDERED that Defendants’ motions to dismiss (Docs. # 12, 19) are GRANTED. It is

FURTHER ORDERED that the federal claims in Plaintiff’s Amended Complaint (Doc. # 2) are DISMISSED WITH PREJUDICE, but the state law claims therein are DISMISSED WITHOUT PREJUDICE.

DATED: November 30, 2011

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge