

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

Civil Action No. 11-cv-2975-WJM-KLM

GONZALO PEREZ, and
JULIO ARREGUIN,

Plaintiffs,

v.

DOUGLAS COUNTY SHERIFF DEPT.,
GRAND COUNTY SHERIFF DEPT.,
WINTER PARK - FRASER POLICE DEPT.,
DENVER COUNTY SHERIFF DEPT.,
CITY OF DENVER POLICE DEPT.,
ADAMS COUNTY SHERIFF DEPT., and
AURORA POLICE DEPARTMENT,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION AND
DISMISSING CASE WITHOUT PREJUDICE**

This matter is before the Court on the February 22, 2012 Recommendation by United States Magistrate Judge Kristen L. Mix that Plaintiff's Complaint be dismissed without prejudice for violating Federal Rules of Civil Procedure 4(m) and 41(b). (ECF No. 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 days after being served with a copy of the Recommendation. (ECF

No. 14 at 3-4.) Despite this advisement, Plaintiffs did not object to the Recommendation. “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 concludes that the Magistrate Judge’s Recommendation 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. Magistrate Judge Kristen L. Mix’s February 22, 2012 Recommendation is ADOPTED;
2. Plaintiff’s Complaint is DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for violating Rule 4(m); and
3. The Clerk shall enter judgment in favor of Defendants.

Dated this 16th day of March, 2012.

BY THE COURT:



William J. Martínez
United States District Judge