

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

Civil Action No. 11-cv-03061-WJM-MJW

SCARLET RANCH, a privately owned club,
BRADLEY MITCHELL,
KENDALL SEIFERT, and
ERIN SCHREIBERG

Plaintiffs,

v.

DANIEL STEELE, Sergeant,
ANDREW HOWARD, Sergeant
CHRIS SCHOTTS, Officer,
NICK RANDOLPH, Officer,
PHILIP COLEMAN, Officer,
ROBERT FAMBROUGH, Officer,
ANTONIO GUARDADO, Officer, and
JOHN DOE OFFICERS I-III

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION AND
DISMISSING CLAIMS AGAINST JOHN DOE OFFICER DEFENDANTS**

This matter is before the Court on the May 15, 2012 Recommendation by United States Magistrate Judge Michael J. Watanabe that Plaintiffs' claims against the three John Doe Officers be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m) and Local Rule 41.1. (ECF No. 24.) 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. 24 at 3.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have been filed. "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 analysis and 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. The Magistrate Judge's May 15, 2012 Recommendation (ECF No. 24) is ACCEPTED;
2. Plaintiff's claims against the three John Doe Officer Defendants are DISMISSED WITHOUT PREJUDICE;
3. The Clerk shall terminate this action as to the three John Doe Officer Defendants; and
4. The caption for all future filings shall omit the three John Doe Officer Defendants.

Dated this 8th day of June, 2012.

BY THE COURT:



William J. Martínez
United States District Judge