

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

Civil Action No. 11-cv-03080-WJM-CBS

MARSHAUN STEWART,

Plaintiff,

v.

BLOODWORTH,
BURTON,
WORKSON, and
HELICKERSON

Defendants.

**ORDER ADOPTING OCTOBER 9, 2012 RECOMMENDATION OF MAGISTRATE
JUDGE AND DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

This matter is before the Court on the October 9, 2012 Recommendation of United States Magistrate Judge Craig B. Shaffer (the "Recommendation") (ECF No. 69) that Plaintiff's Motion For Reconsideration (ECF No. 44) be denied. The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) any party may serve and file written objections to the Magistrate Judge's proposed findings and recommendations with the clerk of the United States District court for the District of Colorado within fourteen days after service of a copy of the Recommendation. No objections to the Magistrate Judge's Recommendation have to date been filed by either party.

The Court concludes that there is no clear error on the face of the record. See

Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); see also *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) ("In the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate.").

In accordance with the foregoing, the Court ORDERS as follows:

- (1) The Magistrate Judge's Recommendation (ECF No. 69) is ADOPTED in its entirety; and
- (2) Plaintiff's Motion for Reconsideration (ECF No. 44) is DENIED.

Dated this 16th day of November, 2012.

BY THE COURT:



William J. Martinez
United States District Judge