

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01348-WYD-CBS

THOMAS ALBERT LaBRECQUE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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FINAL JUDGMENT

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Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Order Affirming and Adopting Recommendation of United States' Magistrate Judge, filed on December 17, 2012, by the Honorable Wiley Y. Daniel, Chief United States District Judge, and incorporated herein by reference as if fully set forth, it is

ORDERED that the Recommendation of United States Magistrate Judge (ECF Doc. No. 13) is affirmed and adopted. It is further

ORDERED that judgment is hereby entered in favor of Defendant, United States of America, and against Plaintiff, Thomas Albert LaBrecque, on United States' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1). It is further

ORDERED that plaintiff's complaint and action are dismissed without prejudice for lack of subject matter jurisdiction.

DATED at Denver, Colorado this 18th day of December, 2012.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler  
Edward P. Butler,  
Deputy Clerk