

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

Civil Action No. 12-cv-1359-WJM-KLM

LARRY ELEVThERIOS JOHNSON,

Plaintiff,

v.

MYELIN PRODUCTIONS,
AXUM21ST GROUP GLOBAL,
RICHARD VAZ,
SUMMER BROOKE,
ELIZABETH ARTEMIS,
MELANIE DAVIES,
KAMILA DAVIES,
FRANCES VAZ,
SABRINA VAZ,
KIMBERLEE PRATT,
NICOLLE STANIC,
ROMANEE STANIC,
KRISTA COX,
KAITLYN NOLAN, and
CHELSEA HUMPHREYS,

Defendants.

**ORDER ADOPTING APRIL 3, 2013 RECOMMENDATION OF MAGISTRATE JUDGE
AND DISMISSING CLAIMS AGAINST CERTAIN DEFENDANTS FOR FAILURE TO
TIMELY EFFECT SERVICE OF PROCESS**

This matter is before the Court on the April 3, 2013 Recommendation of United States Magistrate Judge Kristen L. Mix (the "Recommendation") (ECF No. 69) that certain Defendants be dismissed based on Plaintiff's failure to effect service of process within the time constraints set forth in Fed. R. Civ. P. 4(m). 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. 69 at 3-4.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have been filed by either party in the more than eight weeks that have passed since the Recommendation was issued.

The Court concludes that the Magistrate Judge's analysis was thorough and sound, and 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;
- (2) The claims against Defendants Myelin Productions, Axum21st Group Global, Richard Vaz, Summer Brooke, Frances Vaz, Sabrina Vaz, Krista Cox, and Chelsea Humphreys are hereby DISMISSED WITHOUT PREJUDICE for failure to effect service of process within the time constraints set by Fed. R. Civ. P. 4(m).
- (3) In all future filings, Defendants Myelin Productions, Axum21st Group Global, Richard Vaz, Summer Brooke, Frances Vaz, Sabrina Vaz, Krista Cox, and Chelsea Humphreys shall be removed from the caption.

Dated this 31st day of May, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martinez", written over a horizontal line.

William J. Martinez
United States District Judge