

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 12-cv-01452-REB-KLM

ANDREW COLE,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

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**ORDER FOR ENTRY OF JUDGMENT**

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**Blackburn, J.**

This matter is before me on the **Order Adopting Recommendation of United States Magistrate Judge** [#82]<sup>1</sup> filed September 4, 2014. Based on that order, I now direct that judgment enter in this case.

In my order [#82], I granted the motion to dismiss [#62] of the defendant, but stayed final dismissal of the claims of the plaintiff pending notification of the Chapter 13 Bankruptcy Trustee, the real party in interest. Applying Fed. R. Civ. P. 17, I ordered that the trustee be given notice of the pendency of this case and an opportunity to seek to substitute as a plaintiff, join this case, or ratify this case. The Chapter 13 Bankruptcy Trustee was given notice, as required in my order, but has not elected to substitute as a plaintiff, join this case, or ratify this case. Absent any such timely action of the trustee, the dismissal of the claims of the plaintiff became effective on October 13, 2014. *Order*

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<sup>1</sup> “[#82]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

[#82], p. 3, ¶ 8.

**THEREFORE, IT IS ORDERED** as follows:

1. That judgment shall enter against the plaintiff in favor of the defendant dismissing without prejudice the claims asserted in the **Second Amended Complaint and Jury Demand** [#61] filed November 14, 2013; and
2. That this case is closed.

Dated April 21, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge