

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Chief Judge Marcia S. Krieger

Civil Action No. 12-cv-01577-MSK-BNB

TYRONE ALLEN, doing business as X3 LOGISTICS, LLC.,

Plaintiff,

v.

UNITED STATES OF AMERICA,  
SURFACE DEPLOYMENT AND DISTRIBUTION COMMAND (SDDC G9),  
JAMES GILMORE, Chief Quality Assurance, SDDC, in his individual and official capacities,  
ANTHONY MAYO, Quality Assurance, SDDC, in his individual and official capacities,  
MARTHA KINARD, Transportation Officer, in her individual and official capacity,  
DEFENSE CONTRACT MANAGEMENT AGENCY DCMA HUNTSVILLE (DCMA),  
REBECCA OWENS, Transportation Officer, in her official and individual capacities,  
FISCSD SEAL BEACH DETACHMENT,

Defendants.

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**FINAL JUDGMENT**

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In accordance with all orders previously filed during the pendency of this case, and pursuant to Fed. R. Civ. P 58(a), and pursuant to the Electronic Order filed on April 16, 2013, adopting the Recommendation issued by the Magistrate Judge to dismiss the case, the following Final Judgment is hereby entered.

IT IS ORDERED that the Recommendation of Magistrate Judge Boland (**Doc. #33**) is **ADOPTED**. Plaintiff's Amended Complaint (**Doc. #25**) is dismissed without prejudice for failure to prosecute, insufficiency of service of process, failure to timely effect service of process as required by the Federal Rules of Civil Procedure, and failure to comply with an order of this court, and the case is closed. It is further

ORDERED that defendants are AWARDED their costs, to be taxed by the Clerk of the Court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated at Denver, Colorado this 19<sup>th</sup> day April, 2013.

ENTERED FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

By: s/Edward Butler  
Edward Butler, Deputy Clerk