

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 12-cv-01578-LTB-CBS

MATTHEW ALAN SMITH,

Plaintiff,

v.

UNITED PARCEL SERVICE,

Defendant.

ORDER

This case is before me on the recommendation of the Magistrate Judge issued and served on October 28, 2013 (Doc 154). Plaintiff has failed to file specific written objections to the Magistrate Judge's recommendation and is therefore barred from *de novo* review. Accordingly, it is

ORDERED that the recommendation is accepted as follows:

1. Defendant's Motion for Summary Judgment (Doc 103) is GRANTED and summary judgment shall enter in favor of Defendant and against Plaintiff on all claims in the Complaint.
2. Plaintiff's Motion for Summary Judgment (Doc 108) is DENIED.

3. Judgment shall enter which shall include an award of costs, in the amount submitted by UPS in a bill of costs, that includes any unpaid balance remaining on the amount of \$2,893.50 in reasonable expenses previously awarded by the Court pursuant to Fed.R.Civ.P. 37(a).

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: November 13, 2013