

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01778-WYD-KMT

MICHAEL C. FIELD,

Plaintiff,

v.

THOMAS BENEZE,

Defendant.

FINAL JUDGMENT

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 July 29, 2013, by the Honorable Wiley Y. Daniel, Senior 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 Tafoya [ECF Doc. No. 34] is affirmed and adopted. It is further

ORDERED that judgment is hereby entered in favor of Defendant, Thomas Beneze, and against Plaintiff, Michael C. Field, on the granting of Defendant's Motion to Dismiss [ECF Doc. No. 24]. It is further

ORDERED that plaintiff's complaint and action are dismissed. It is further

ORDERED that if Plaintiff files a notice of appeal he also must pay the full \$455.00 appellate filing fee or file a motion to proceed in forma pauperis in the United States Court of Appeals for the Tenth Circuit within thirty days of the court's final order in accordance with Fed. R. App. P. 24.

DATED at Denver, Colorado this 31st day of July, 2013.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

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