

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 12-cv-01989-CMA-KLM

SHARON MURRAY,

Plaintiff,

v.

HOLYOKE SCHOOL DISTRICT RE-1J,
HOLYOKE SCHOOL BOARD, and
HOLYOKE HIGH SCHOOL,

Defendants.

**ORDER ADOPTING NOVEMBER 26, 2012 RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**

This matter is before the Court on the November 26, 2012 Recommendation by United States Magistrate Judge Kristen L. Mix that former Defendants Kris Camblin, Linda Jelden, Daniel Kafka, Kimbra Killin, Jon King, Jeff Tharp, Bret Miles and Susan Ortner's (collectively, the "Individual Defendants") Motion to Dismiss Third Claim for Relief Pursuant to Fed. R. Civ. P. 12(b)(5) be denied as moot. (Doc. # 19.)

The Recommendation advised the parties that specific written objections were due within fourteen (14) days after being served with a copy of the Recommendation. (Doc. # 19 at 2.) Despite this advisement, no objections to Magistrate Judge Mix's Recommendation have been filed. "In the absence of timely objection, the district court may review a magistrate [judge's] report under any standard it deems appropriate."

Summers v. Utah, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (stating that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

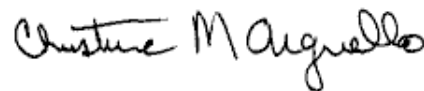
Based on the Court’s review, the Court finds that “there is no clear error on the face of the record.” Fed. R. Civ. P. 72 advisory committee’s note. Therefore, the Court ADOPTS the Recommendation of Magistrate Judge Mix as the findings and conclusions of this Court.

Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 19) is AFFIRMED and ADOPTED.

It is FURTHER ORDERED that the Individual Defendants’ Motion to Dismiss Third Claim for Relief Pursuant to Fed. R. Civ. P. 12(b)(5) (Doc. # 12) be DENIED AS MOOT.

DATED: December 12, 2012

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge