

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore

Civil Action No. 12-cv-02107-RM-KLM

BRIAN RAY KARSTEN,

Plaintiff,

v.

BLAKE R. DAVIS,  
P.A. CAMACHO,  
AMBER L. NELSON, and  
FIVE JOHN/JANE DOES,

Defendants.

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**ORDER ADOPTING APRIL 26, 2013 RECOMMENDATION OF MAGISTRATE  
JUDGE, GRANTING MOTION TO DISMISS, AND DENYING PLAINTIFF'S MOTION  
FOR THE COURT TO SET TIME LIMITS AND PROVIDE FORMS**

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This matter is before the Court on the April 26, 2013 Recommendation of United States Magistrate Judge Kristen L. Mix (the "Recommendation") (ECF No. 26) that Defendant Blake R. Davis, Defendant Ronald Camacho, and Defendant Amber L. Nelson's (collectively, "Defendants") Motion to Dismiss Pursuant to Rule 12(b)(2) and 12(b)(6) (ECF No. 20) (the "Motion") be granted. The Recommendation is incorporated herein by reference. *See* 28 U.S.C. § 636(b)(1)(B); FED. R. CIV. P. 72(b).

The Recommendation advised the parties that specific written objections were due within fourteen days after being served with a copy of the Recommendation. (ECF No. 26, at 32.) No objections to the Magistrate Judge's Recommendation have to date been filed. On May 7, 2013, Plaintiff filed a Motion a Motion for the Court to Set a Time Limit and Provide Forms. In that motion, Plaintiff essentially seeks a timeframe within which to amend his Complaint. Although Plaintiff's Motion does state that he "disagrees with some of the conclusions and believes that

caselaw in this District supports his claims under standards not addressed by the Magistrate” (ECF No. 28, at 1), this is not a “specific written objection[.]” within the meaning of FED. R. CIV. P. 72(b)(2) and will not be interpreted as such.

The Court concludes that the Magistrate Judge’s analysis was thorough and sound, and that there is no clear error of law or abuse of discretion. *See* FED. R. CIV. P. 72(b) advisory committee’s note (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *see also Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”).

The Court notes that the dismissal as written in the Recommendation and adopted in this order is without prejudice. The Plaintiff is hereby notified that forms for filing complaints are available from the Clerk’s office.

In accordance with the foregoing, the Court ORDERS as follows:

- (1) The Magistrate Judge’s Recommendation (ECF No. 26) is ADOPTED in its entirety and the Defendant’s Motion to Dismiss Plaintiff’s claims is GRANTED; and
- (2) Plaintiff’s Motion for the Court to Set a Time Limit and Provide Forms (ECF No. 28) is DENIED.

Dated this 15<sup>th</sup> day of May, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written in a cursive style.

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Raymond P. Moore  
United States District Judge