

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

Civil Action No. 12-cv-02249-RM-KLM

FELECTIA A. JOHNSON, individually and as Special Administrator of the ESTATE OF DONALD WAYNE LEE,

Plaintiffs,

v.

SERGIO FLORES, and
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Defendants.

**ORDER ADOPTING
ORDER AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE
(ECF NO. 45)**

This matter is before the Court on the July 2, 2013 Order and Recommendation of United States Magistrate Judge (“Recommendation”) (ECF No 45) that Plaintiffs’ claims against Defendant Sergio Flores be dismissed without prejudice for failure to effect service on Defendant Flores. The Recommendation advised the parties they had fourteen days after the service of the Recommendation to serve and file any written objections. The time permitted for any objections has expired and no objection to the Recommendation has been filed.

The Court has reviewed the record, including the complaint and facts which support the Magistrate Judge’s Recommendation, and is mindful that Plaintiffs are now appearing *pro se*. The Court concludes the Magistrate Judge’s analysis was thorough and sound, and that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(b) Advisory Committee’s Notes

(“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.”). It is therefore

ORDERED:

1. The Magistrate Judge’s Recommendation (ECF No. 45) is **ADOPTED** in its entirety as an order of this Court; and
2. That pursuant to Fed.R.Civ.P. 4(m) Plaintiffs’ claims against Defendant Sergio Flores are **DISMISSED without prejudice.**

DATED this 22nd day of July, 2013.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge