

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

Civil Action No. 12-cv-03041-CMA-KMT

FD TRUST, and
FLOYD DUBEY, Trustee,

Plaintiffs,

v.

TRUDY KAREUS, SED, and
PAUL WHITE,

Defendants.

**ORDER ADOPTING AND AFFIRMING OCTOBER 29, 2012
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the March 27, 2013 Recommendation by United States Magistrate Judge Kathleen M. Tafoya that Plaintiff's Complaint should be dismissed *sua sponte*, without prejudice, for failure to comply with Local Rule 8.1A and Fed. R. Civ. P. 8. (Doc. # 10.) 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 (14) days after being served with a copy of the Recommendation. (Doc. # 10 at 5.) Despite this advisement, no objections to Magistrate Judge Tafoya's Recommendation have been filed by either party. "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.”).

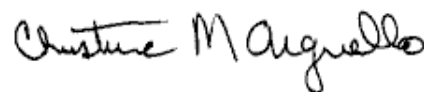
The Court has reviewed all the relevant pleadings in the docket, including the Recommendation. Based on this review, the Court agrees with Magistrate Judge Tafoya that Plaintiff’s Complaint (Doc. # 1-1) should be dismissed for failure to comply with Local Rule 8.1A and Fed. R. Civ. P. 8. Therefore, the Court ADOPTS the Recommendation of Magistrate Judge Tafoya as the findings and conclusions of this Court.

Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 10) is AFFIRMED and ADOPTED.

It is FURTHER ORDERED that this case be DISMISSED WITHOUT PREJUDICE for failure to comply with Local Rule 8.1A and Fed. R. Civ. P. 8.

DATED: March 25, 2013

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge