

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

Civil Action No. 13-cv-00055-CMA-BNB

MINGYI ROWE,

Plaintiff,

v.

UNITED AIRLINES, INC.,

Defendant.

**ORDER ADOPTING AND AFFIRMING JULY 12, 2013
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

This case was referred to United States Magistrate Judge Boyd N. Boland pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72. (Doc. # 8.) On July 12, 2013, Judge Boland issued a Recommendation, advising the Court to deny Defendant's Motion to Dismiss Counts III and IV of Plaintiff's Complaint. (Doc. # 31.) The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

The Magistrate Judge's Recommendation advised the parties that specific written objections were due within fourteen (14) days after being served with a copy of the Recommendation. (*Id.* at 5.) Despite this advisement, no objections to Magistrate Judge Boland's Recommendation have been filed by either party. "In the absence of timely objection, the district court may review a magistrate's report under any standard it

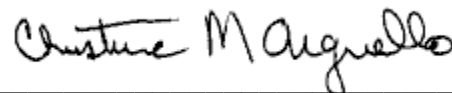
deems appropriate.” *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (observing that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”)). Having reviewed the Recommendation, the Court discerns no clear error on the face of the record and finds that Judge Boland’s reasoning is sound.

Accordingly, it is hereby ORDERED that the Recommendation of United States Magistrate Judge Boyd N. Boland (Doc. # 31) is AFFIRMED and ADOPTED as an order of this Court. Pursuant to the Recommendation, it is

FURTHER ORDERED that Defendant’s Motion to Dismiss Counts III and IV of Plaintiff’s Complaint is DENIED.

DATED: August 02, 2013

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge