

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

Civil Action No. 13-cv-00201-RM-KLM

HILLARY VALLES,

Plaintiff,

v.

MARTIN COLLAZO RANGEL,  
EAGLE CLAW SECURITY LLC, and  
ARACELI GALEOTE, its owner,

Defendants.

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**ORDER**

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THIS MATTER is before the Court on the Order and Recommendation of United States Magistrate Judge (“Recommendation”) (ECF No. 58) dated January 15, 2014, which recommended the Court dismiss the action without prejudice for lack of subject matter jurisdiction. The Recommendation properly informed the parties of the time period for objecting and the consequences of failing to object to the Recommendation. No party has filed an objection to the dismissal and the time for doing so has passed.

“[T]he district court is accorded considerable discretion with respect to the treatment of unchallenged magistrate reports. 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). The history of the filing of this action and the original basis for the Court’s jurisdiction are set forth in the Recommendation. The Court has considered the

Recommendation, the parties' lack of objection to the dismissal, the Court file, and the applicable law. Upon considering these matters, and having evaluated whether to exercise its discretion to try state claims in the absence of any triable federal claims, the Court agrees dismissal of the action is appropriate. But the Court determines dismissal to be appropriate because it declines to exercise supplemental jurisdiction over the remaining state law claims upon the dismissal of the claim over which it had original federal jurisdiction. *See, e.g., Wittner v. Banner Health*, 720 F.3d 770, 781 (10<sup>th</sup> Cir. 2013) (district court with discretion to dismiss supplemental state law claims once it dismissed federal question claim, but should consider four factors in deciding whether to retain state claims); *Anglemeyer v. Hamilton County Hosp.*, 58 F.3d 533, 541 ( 10<sup>th</sup> Cir. 1995) (same). It is therefore

ORDERED that the Recommendation (ECF No. 58) is MODIFIED as stated herein and the Plaintiff's remaining claims are hereby dismissed without prejudice.

DATED this 10th day of March, 2014.

BY THE COURT:



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RAYMOND P. MOORE  
United States District Judge