

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 13-cv-0259-WJM-BNB

HAL LEWIS HEBERT,

Plaintiff,

v.

TOM CLEMENTS, Executive Director, Colorado Department of Corrections,
JAMES FALK, Warden Sterling Correctional Facility (SCF),
MICHELLE NYCZ, Major, SCF,
ROBERT KEISEL, Captain, SCF, and
CHASE FELZIEN, Lieutenant, SCF

Defendants.

**ORDER ADOPTING APRIL 15, 2014 RECOMMENDATION OF
MAGISTRATE JUDGE AND DENYING PLAINTIFF'S MOTION
FOR EMERGENCY PRELIMINARY INJUNCTION**

This matter is before the Court on the April 15, 2014 Recommendation of United States Magistrate Judge Boyd N. Boland (the "Recommendation") (ECF No. 51) that Plaintiff's Motion in Request of Emergency Preliminary Injunction (ECF No. 45) be denied. 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. 51, at 4 n.2.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have to date been received.

The Court concludes that 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 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.").

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

- (1) The Magistrate Judge's Recommendation (ECF No. 51) is ADOPTED in its entirety;
- (2) Plaintiff's Motion in Request of Emergency Preliminary Injunction (ECF No. 45) is DENIED.

Dated this 20th day of May, 2014.

BY THE COURT:



William J. Martínez
United States District Judge