

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

Civil Action No. 13-cv-0491-WJM-CBS

ANTOINE BRUCE,

Plaintiff,

v.

C. WILSON,
A. OSAGIE,
F. CORDOVA, and
F. FETTERHOFF,

Defendants.

**ORDER ADOPTING OCTOBER 7, 2013 RECOMMENDATION OF MAGISTRATE
JUDGE, GRANTING DEFENDANTS' MOTION TO DISMISS, AND
DENYING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

This matter is before the Court on the October 7, 2013 Recommendation of United States Magistrate Judge Craig B. Shaffer (the "Recommendation") (ECF No. 52) that Defendants' Motion to Dismiss (ECF No. 39) be granted and Plaintiff's Motion for Preliminary Injunction (ECF No. 48) 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. 52 at 16.) 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. 52) is ADOPTED in its entirety;
- (2) Defendants' Motion Dismiss (ECF No. 39) is GRANTED;
- (3) The Claims against Defendants Osaige, Fetterhoff, and Wilson are hereby DISMISSED WITHOUT PREJUDICE;
- (4) The Claims against Defendant Cordova are DISMISSED WITH PREJUDICE;
- (5) Plaintiff's Motion for Preliminary Injunction (ECF No. 48) is DENIED; and
- (6) The Clerk shall close the case. Each party shall bear his/her own costs.

Dated this 4th day of November, 2013.

BY THE COURT:



William J. Martínez
United States District Judge