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

Civil Action No. 13-cv-02085-CMA-BNB

MEL BOMPREZZI,

Plaintiff,

v.

GRAHAM HOFFMAN, Dr.,
JULIE MEEKER, Dr.,
LISA TOEPP, Dr.,
POUNDS, Dr., and
DEQUARDO, Dr.,

Defendants.

ORDER ADOPTING AND AFFIRMING MAY 6, 2014
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. # 13.) On May 6, 2014, Judge Boland issued a Recommendation, advising the Court to deny Defendant's Motion to Dismiss. (Doc. # 17.) 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, Defendants have filed no

objection to Magistrate Judge Boland's Recommendation.[1] "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. # 37) is AFFIRMED and ADOPTED as an order of this Court. Pursuant to the Recommendation, it is

FURTHER ORDERED that Defendant's Motion to Dismiss (Doc. # 17) is DENIED. It is

FURTHER ORDERED that Plaintiff's objection (Doc. # 41) is OVERRULED.

DATED: June 02, 2014

BY THE COURT:

Christine M. Arguello

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CHRISTINE M. ARGUELLO
United States District Judge

[1] Plaintiff filed an objection (Doc. # 41); however, because Judge Boland recommends the Court deny Defendants' motion, which is a favorable ruling for Plaintiff, the Court will not address those objections.