

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

Civil Action No. 13-cv-02569-CMA-CBS

DAVID PRICHARD,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE COMPANY,

Defendant.

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**ORDER ADOPTING AND AFFIRMING FEBRUARY 14, 2014  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

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This case was referred to United States Magistrate Judge Craig B. Shaffer pursuant to 28 U.S.C. § 636 and Fed. R. Civ. P. 72. (Doc. # 6.) On February 14, 2014, Judge Shaffer issued a Recommendation to grant Defendant's Motion to Dismiss. (Doc. # 8.) Thereafter, Plaintiff filed an objection to the Recommendation (Doc. # 27), and Defendants filed a response (Doc. # 28).

When a magistrate judge issues a recommendation on a dispositive matter, Fed. R. Civ. P. 72(b)(3) requires that the district judge "determine de novo any part of the magistrate judge's [recommended] disposition that has been properly objected to." In conducting its review, "[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." *Id.*

In the instant case, Plaintiff does not “properly object[]” to any part of the Recommendation. Instead, he reiterates arguments that were properly before Magistrate Judge Shaffer at the time his Recommendation issued. Nonetheless, the Court has conducted a *de novo* review of this matter, including reviewing all relevant pleadings, the Recommendation, and Plaintiff’s objection thereto. Based on this *de novo* review, the Court concludes that Judge Shaffer’s Recommendation is correct and is not called into question by Plaintiff’s objection.

Accordingly, it is hereby ORDERED that Plaintiff’s objection (Doc. # 27) is OVERRULED. It is

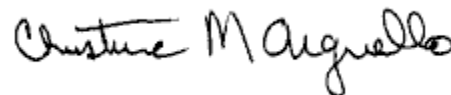
FURTHER ORDERED that the Recommendation of United States Magistrate Judge Craig B. Shaffer (Doc. # 26) is AFFIRMED and ADOPTED as an Order of this Court. Pursuant to the Recommendation, it is

FURTHER ORDERED that Plaintiff’s claims are DISMISSED WITHOUT PREJUDICE.

FURTHER ORDERED that this case is DISMISSED IN ITS ENTIRETY.

DATED: March 25, 2014

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge