

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

Civil Action No. 13-cv-02872-CMA-CBS

WILLIAM A. COYLE,

Plaintiff,

v.

THEODORE LAURENCE, P.A., Official and Individual capacity, and
MECHELLE "DOE", a/k/a NURSE MECHELLE, Official and Individual capacity,

Defendants.

**ORDER AFFIRMING MAY 15, 2014 RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the May 15, 2014 Recommendation by United States Magistrate Judge Craig B. Shaffer that Defendants' Motions for Summary Judgment be granted and Plaintiff's Motion for a Temporary Restraining Order be denied. (Doc. # 37.) 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. (Doc. # 37 at 13-14.) Despite this advisement, no objections to Magistrate Judge Shaffer's Recommendation were filed by either party.

"In the absence of timely objection, the district court may review a magistrate [judge'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) (stating

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.”).

The Court has reviewed all the relevant pleadings concerning both parties’ motions. Based on this review, the Court concludes that Magistrate Judge Shaffer’s thorough and comprehensive analyses and recommendations are correct and that “there is no clear error on the face of the record.” Fed. R. Civ. P. 72, advisory committee’s note. Therefore, the Court ADOPTS the Recommendation of Magistrate Judge Shaffer as the findings and conclusions of this Court.

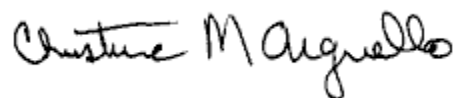
Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 37) is AFFIRMED and ADOPTED. It is

FURTHER ORDERED that Defendant Laurance’s Motion to Dismiss (Doc. # 21) is GRANTED, Defendant Gonzales’s Motion to Dismiss (Doc. # 28) is GRANTED, and Plaintiff’s Motion for Temporary Restraining Order (Doc. # 32) is DENIED. It is

FURTHER ORDERED that Plaintiff’s complaint (Doc. # 1) is DISMISSED WITHOUT PREJUDICE. Plaintiff has thirty days from the date of this order to refile a complaint that addresses the deficiencies identified in Magistrate Judge Shaffer’s order.

DATED: June 5, 2014

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge