

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

Civil Action No. 13-cv-3086-WJM-KMT

ANTHONY D. SHAPIRO,

Plaintiff,

v.

MARCUS RYNEK, individually and in his official capacity,
JAMES FALK, in his official capacity, and
UNIDENTIFIED NORTHERN TRANSPORT UNIT CORRECTION OFFICER, individually
and in his official capacity,

Defendants.

**ORDER ADOPTING MARCH 17, 2015 RECOMMENDATION OF MAGISTRATE JUDGE
AND GRANTING IN PART PLAINTIFF'S PARTIALLY UNOPPOSED MOTION FOR
LEAVE TO FILE THIRD AMENDED COMPLAINT**

This matter is before the Court on the March 17, 2015 Recommendation of United States Magistrate Judge Kathleen M. Tafoya (the "Recommendation") (ECF No. 59) that Plaintiff's Partially Unopposed Motion for Leave to File Third Amended Complaint (ECF No. 53) be granted in part. 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. 59, at 7.) 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.

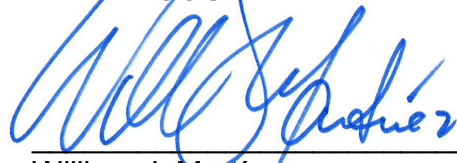
72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *see also Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) ("In the absence of timely objection, 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. 59) is ADOPTED in its entirety;
- (2) Plaintiff's Partially Unopposed Motion for Leave to File Third Amended Complaint (ECF No. 53) is GRANTED in PART; and
- (3) Plaintiff is GRANTED leave to file a Third Amended Complaint substituting Tobias Trujillo, Steven Doane, and Carlos Chavarria for the previously-named Unidentified Northern Transport Unit Correctional Officer.

Dated this 24th day of April, 2015.

BY THE COURT:



William J. Martínez
United States District Judge