

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 13-cv-03309-REB-KMT

MARTIN THOMAS WIRTH,

Plaintiff,

v.

JOHN HICKENLOOPER, in his official capacity as Governor of Colorado, et al.,

Defendants.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#69],¹ filed June 23, 2014. No objections having been filed to the recommendation, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).² I find no error, much less plain error, in the magistrate judge's recommended disposition. Even if all the usual requirements warranting the extraordinary remedy of a temporary restraining order were satisfied in this case – which they are not – the entry of such an

¹ “[#69]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

² This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122. In addition, because plaintiff is proceeding *pro se*, I have construed his pleadings more liberally and held them to a less stringent standard than formal pleadings drafted by lawyers. *See Erickson v. Pardus*, 551 U.S. 89, 94, 127 S. Ct. 2197, 2200, 167 L.Ed.2d 1081 (2007); *Andrews v. Heaton*, 483 F.3d 1070, 1076 (10th Cir. 2007); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991) (citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 595-96, 30 L.Ed.2d 652 (1972)).

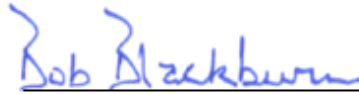
order clearly is precluded by the ***Rooker-Feldman*** doctrine, as detailed in the recommendation. I therefore find and conclude that the magistrate judge's recommendation should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

1. That **Recommendation of United States Magistrate Judge** [#69], filed June 23, 2014, is **APPROVED AND ADOPTED** as an order of this court; and
2. That plaintiff's **Emergency Motion for Temporary Restraining Order Pursuant to Rule 65(b)** [#62], filed June 2, 2014, is **DENIED**.

Dated August 13, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge