

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

Civil Action No. 14-cv-00185-REB-MJW

AARON IVAN JORDAN,

Plaintiff,

v.

CHRISTOPHER SLOAN, Aurora P.O.,

Defendant.

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

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**Blackburn, J.**

The matter before me is the magistrate judge's **Report & Recommendation on Defendant's Motion To Dismiss for Failure To Prosecute (Docket No. 31) and Order To Show Cause (Docket No. 34)** [#36],<sup>1</sup> filed October 14, 2014. No objection having been filed to the recommendation, I review it for plain error only. **See *Morales-Fernandez v. Immigration & Naturalization Service***, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005).<sup>2</sup>

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<sup>1</sup> "[#36]" 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.

<sup>2</sup> 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 (10<sup>th</sup> Cir. 2007); ***Hall v. Bellmon***, 935 F.2d 1106, 1110 (10<sup>th</sup> Cir. 1991) (citing ***Haines v. Kerner***, 404 U.S. 519, 520-21, 92 S.Ct. 594, 595-96, 30 L.Ed.2d 652 (1972)).

I perceive no error, much less plain error, in the magistrate judge's recommended disposition of this matter. The magistrate judge's thorough recitation of the procedural history of this case, as well as the history of plaintiff's other aborted or abandoned litigation efforts in this district, leads me to concur with the conclusion that a dismissal with prejudice is appropriate under the factors enumerated in *Ehrenhaus v. Reynolds*, 965 F.2d 916, 920 (10<sup>th</sup> Cir. 1992). I therefore find and conclude that the magistrate judge's recommendation should be approved and adopted.

**THEREFORE, IT IS ORDERED** as follows:

1. That the magistrate judge's **Report & Recommendation on Defendant's Motion To Dismiss for Failure To Prosecute (Docket No. 31) and Order To Show Cause (Docket No. 34)** [#36], filed October 14, 2014, is **APPROVED AND ADOPTED** as an order of this court;

2. That the **Order To Show Cause** [#34], filed September 25, 2014, is **MADE ABSOLUTE**;

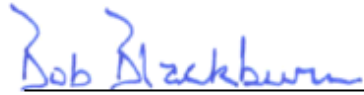
3. That plaintiff's claims in this lawsuit are **DISMISSED WITH PREJUDICE** for failure to prosecute;

4. That judgment with prejudice **SHALL ENTER** on behalf of defendant, Christopher Sloan, Aurora P.O., against plaintiff, Aaron Ivan Jordan, on all claims for relief and causes of action asserted against the defendant in this action; and

5. That defendant is **AWARDED** his costs, to be taxed by the clerk of the court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated November 14, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge