

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

Civil Action No. 14-cv-1811-WJM-NYW

PHILLIP ANTHONY VARNER,

Plaintiff,

v.

BRADLEY LUEBKE, Greeley Police Officer
PA BRIDGE, Greeley Police Officer,
CODY MASON, Greeley Police Officer,
KEN AMICK,
BRIAN HUNZIKER, and
CITY OF GREELEY

Defendants.

**ORDER ADOPTING MARCH 17, 2015 RECOMMENDATION OF MAGISTRATE
JUDGE,
GRANTING PLAINTIFF'S MOTION TO DISMISS**

This matter is before the Court on the March 17, 2015 Recommendation of United States Magistrate Judge Nina Y. Wang (the "Recommendation") (ECF No. 18) that Plaintiff's Motion to Dismiss (ECF No. 12) be granted. 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.¹ (ECF No. 12, at 2 n.1.) Despite this advisement, no objections to the Magistrate Judge's

¹ The Court's internal records confirm that the Recommendation was electronically mailed to counsel for both parties.

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. 18) is ADOPTED in its entirety;
- (2) Plaintiff's Motion to Dismiss (ECF No. 12) is GRANTED; and
- (3) Plaintiff's Motion to Withdraw as Attorney (ECF No. 10) is DENIED as MOOT.

Dated this 17th day of April, 2015.

BY THE COURT:



William J. Martínez
United States District Judge