

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore**

Civil Action No. 14-cv-02723-RM-MEH

OLUSEGUN ADENOWO,

Plaintiff,

v.

DENVER PUBLIC SCHOOLS, a/k/a School District No. 1 in the County of Denver and State of Colorado,

Defendant.

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**ORDER**

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This matter is before the Court on the June 17, 2015 Recommendation of United States Magistrate Judge Michael E. Hegarty (the “Recommendation”) (ECF No. 51) to deny Defendant’s Motion to Dismiss (the “Motion”) (ECF No. 23). Essentially, after a hearing, the Magistrate Judge recommended denial of the Motion because some of Defendant’s challenges to Plaintiff’s allegations were insufficient to warrant dismissal and other challenges should properly be decided on summary judgment. The Magistrate Judge converted the Motion to one for summary judgment and allowed supplemental briefing. (ECF Nos. 50, 51, 52.) 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. 51 at page 1.) Despite this advisement, no objections to the Recommendation have to date been filed by either party and the time to do so has expired. (*See generally* Dkt.)

The Court concludes that Magistrate Judge Hegarty'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."). The Recommendation is, therefore, adopted as an order of this Court.

In accordance with the foregoing, the Court:

- (1) ADOPTS the Recommendation of United States Magistrate Judge (ECF No. 51) in its entirety as an order of this Court; and
- (2) DENIES the Motion to Dismiss (ECF No. 23) as the parties will be briefing these issues on summary judgment.

DATED this 24th day of July, 2015.

BY THE COURT:



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RAYMOND P. MOORE  
United States District Judge