

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

Civil Action No. 14-cv-3246-WJM-NYW

BOB TRUJILLO,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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**ORDER ADOPTING FEBRUARY 3, 2015 RECOMMENDATION OF  
MAGISTRATE JUDGE AND GRANTING DEFENDANT'S MOTION TO DISMISS**

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This matter is before the Court on the February 3, 2015 Recommendation of United States Magistrate Judge Boyd N. Boland (the "Recommendation") (ECF No. 11) that Defendant's Motion to Dismiss (ECF No. 6) 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. (ECF No. 11 at 4 n.2.) 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

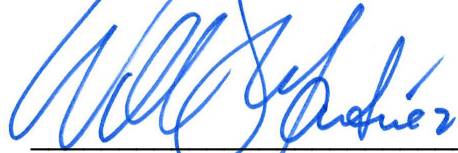
the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate.").

In accordance with the foregoing, the Court ORDERS as follows:

- (1) The Magistrate Judge's Recommendation (ECF No. 11) is ADOPTED in its entirety;
- (2) Defendant's Motion to Dismiss (ECF No. 6) is GRANTED; and
- (3) This case is hereby DISMISSED WITHOUT PREJUDICE due to Plaintiff's failure to timely exhaust his administrative remedies.

Dated this 20<sup>th</sup> day of February, 2015.

BY THE COURT:



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William J. Martínez  
United States District Judge