

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 15-cv-00727-CMA-MEH

DELISA HAMILTON-MATTHEWS,

Plaintiff,

v.

GEO CORRECTION AND DETENTION, LLC,

Defendant.

**ORDER AFFIRMING AND ADOPTING THE AUGUST 7, 2015 RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE ON DEFENDANT'S PARTIAL
MOTION TO DISMISS**

This matter is before the Court on the August 7, 2015 Recommendation of United States Magistrate Judge Michael E. Hegarty that Defendant GEO Corrections and Detention, LLC's Motion for Partial Dismissal (Doc. # 7) be granted. That Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

Magistrate Judge Hegarty's Recommendation advised the parties that specific written objections, if any were to be made, were due within fourteen (14) days after being served with a copy of the Recommendation. (Doc. # 28 at 1-2 n.1.) Neither party filed objections to Magistrate Judge Hegarty's Recommendation. "In the absence of timely objection, the district court may review a magistrate [judge's] report under any standard it deems appropriate." *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that

Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.")).

The Court has reviewed all of the relevant documents concerning Defendant's Motion for Partial Dismissal and Magistrate Judge Hegarty's Recommendation. Based on this review, the Court concludes that Magistrate Judge Hegarty's thorough and comprehensive analysis and recommendation are correct and that "there is no clear error on the face of the record." Fed. R. Civ. P. 72 advisory committee's note to 1983 amendment. Therefore, the Court AFFIRMS and ADOPTS the Recommendation of Magistrate Judge Hegarty as the findings and conclusions of this Court.

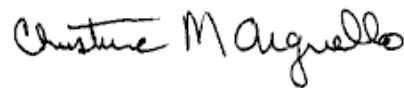
Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 28) is AFFIRMED and ADOPTED. It is

FURTHER ORDERED that Defendant GEO Corrections and Detention, LLC's Motion for Partial Dismissal (Doc. # 7) is GRANTED. It is

FURTHER ORDERED that Plaintiff's second claim for relief based on alleged retaliation is DISMISSED WITHOUT PREJUDICE for failure to exhaust administrative remedies.

DATED: September 1, 2015

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge