

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

Civil Action No. 15-cv-02291-WJM-MEH

PAUL KAMAU RUNANU,

Plaintiff,

v.

BARBARA BROHL, Executive Director, Colorado Department of Revenue, and
Cynthia Coffman, Colorado Attorney General,

Defendants.

**ORDER ADOPTING DECEMBER 23, 2015 RECOMMENDATION OF
MAGISTRATE JUDGE GRANTING DEFENDANTS' MOTION TO DISMISS**

This matter is before the Court on the December 23, 2015 Recommendation of United States Magistrate Judge Michael E. Hegarty (the "Recommendation") (ECF No. 22) that Defendants' Motion to Dismiss (ECF No. 5) be granted and the Complaint be dismissed as to all Defendants. 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. 59 at 1 n.1.) 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

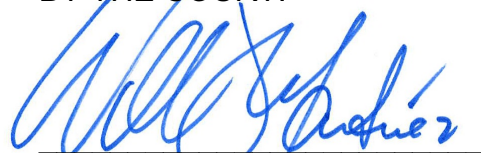
satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); see also *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”). In addition to the Magistrate Judge’s analysis, the Court notes that it generally cannot order the State of Colorado or its municipalities to cease ongoing criminal prosecutions. See generally *Younger v. Harris*, 401 U.S. 37 (1971).

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

1. The Magistrate Judge’s Recommendation (ECF No. 22) is ADOPTED in its entirety;
2. Defendants’ Motion to Dismiss (ECF No. 5) is GRANTED;
3. Plaintiff’s Complaint (ECF No. 1) is DISMISSED WITH PREJUDICE as to all Defendants;
4. The Clerk shall enter judgment accordingly and shall terminate this case.

Dated this 12th day of January, 2016.

BY THE COURT:



William J. Martínez
United States District Judge