

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

Civil Action No. 15-cv-02841-RM-KLM

CARLEE C. CARSON,

Plaintiff,

v.

OCWEN LOAN SERVICING, LLC, and
HSBC BANK USA, N.A., as Trustee on behalf of Ace Securities Corp. Home Equity Loan
Trust and for the Registered Holders of Ace Securities Corp. Home Equity Loan Trust,
Series 20070HE2, Asset Backed Pass-Through Certificates,

Defendants.

ORDER

This matter is before the Court on the August 7, 2017, Recommendation of United States Magistrate Judge Kristen L. Mix (the “Recommendation”) (ECF No. 49) to grant Defendants’ Motion to Dismiss (ECF No. 25) and dismiss Plaintiff Carlee C. Carson’s sixth claim for relief for negligent misrepresentation with prejudice. 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. 49 at pages 9-10.) Despite this advisement, no objections to the Recommendation have to date been filed by any party and the time to do so has expired. (*See generally* Dkt.)

The Court has reviewed the Recommendation and finds that Magistrate Judge Mix’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 **ORDERS**:

- (1) That the Recommendation of United States Magistrate Judge (ECF No. 49) is **ACCEPTED** and **ADOPTED** as an order of this Court; and
- (2) That Defendants’ Motion to Dismiss (ECF No. 25) is **GRANTED** and Plaintiff’s Sixth Claim for Relief based on Negligent Misrepresentation is dismissed with prejudice.

DATED this 23rd day of August, 2017.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge