

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 16-cv-00219-REB-NYW

NADINE ESPINOZA-HORIUCHI,

Plaintiff,

v.

WALMART STORES, INC.

Defendant.

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**ORDER ADOPTING RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

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**Blackburn, J.**

The matter before me is the **Recommendation of United States Magistrate Judge** [#20],<sup>1</sup> filed March 7, 2016. No objection having been filed to the recommendation, I review it for plain error only. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005).<sup>2</sup>

I perceive no error, much less plain error, in the magistrate judge's recommended disposition. Accordingly, I find and conclude that the recommendation should be approved and adopted. Plaintiff's one-sentence, conclusory "motion" violates

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<sup>1</sup> "[#20]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

<sup>2</sup> This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122. In addition, because plaintiff is proceeding *pro se*, I have construed her pleadings more liberally and held them to a less stringent standard than formal pleadings drafted by lawyers. *See Erickson v. Pardus*, 551 U.S. 89, 94, 127 S. Ct. 2197, 2200, 167 L.Ed.2d 1081 (2007); *Andrews v. Heaton*, 483 F.3d 1070, 1076 (10<sup>th</sup> Cir. 2007); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10<sup>th</sup> Cir. 1991) (citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 595-96, 30 L.Ed.2d 652 (1972)).

not only the rules cited by the magistrate judge in the recommendation, but also the requirement of the local civil rules that “a motion involving a contested issue of law” must “be supported by a recitation of legal authority in the motion.” **D.C.COLO.LCivR 7.1(d)**.

I strongly reaffirm the magistrate’s judge’s admonition to plaintiff that she must familiarize herself with all applicable rules that govern litigation and litigants in federal court in this district and comply therewith. Further non-complying motions or other submissions may be stricken.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Recommendation of United States Magistrate Judge** [#20], filed March 7, 2016, is approved and adopted as an order of this court; and
2. That plaintiff’s related **Motion for Summary Judgment** [#17], filed March 3, 2016, is denied.

Dated March 31, 2016, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge