

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

Civil Action No. 16-cv-2889-WJM-KLM

ANTHONY SMITH,

Plaintiff,

v.

LINDSEY MASON, and  
SPRINT/UNITED MANAGEMENT COMPANY,

Defendants.

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**ORDER ADOPTING JUNE 19, 2017 RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE**

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This matter is before the Court on the June 19, 2017 Recommendation of United States Magistrate Judge Kristen L. Mix (the “Recommendation,” ECF No. 24) that Plaintiff Anthony Smith’s “lawsuit be dismissed with prejudice on the basis of *res judicata*.” (“Recommendation,” ECF No. 24.) 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. 25 at 16.) Despite this advisement, no objections to the 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 Recommendation (ECF No. 24) is ADOPTED in its entirety;
- (3) Plaintiff’s Complaint (ECF No. 5) is DISMISSED WITH PREJUDICE;
- (3) Defendant’s Motion to Dismiss (ECF No. 3) is DENIED as moot; and
- (4) The Clerk shall enter judgment and close the case. Each party shall bear their own costs.

Dated this 12<sup>th</sup> day of July, 2017.

BY THE COURT:



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William J. Martínez  
United States District Judge