

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

Civil Action No. 20-cv-03182-CMA-MEH

ARIN VANDERHEYDEN,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Defendant.

ORDER

This matter is before the Court on the Recommendation of United States Magistrate Judge Michael E. Hegarty. (Doc. # 71). Judge Hegarty recommends denying Plaintiff's Motion for Leave to Amend Complaint to Add Claim for Exemplary Damages (Doc. # 62). For the following reasons, the Court affirms and adopts Judge Hegarty's Recommendation as an order of the Court.

The Recommendation advised the parties that specific written objections were due within fourteen days after being served with a copy of the Recommendation. (Doc. # 71, p. 3, n. 1). Neither party filed a timely objection. "[T]he district court is accorded considerable discretion with respect to the treatment of unchallenged magistrate reports. 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) (stating

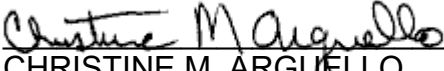
that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings.”)).

After reviewing Judge Hegarty’s Recommendation, the relevant portions of the record, and the applicable legal authority, the Court is satisfied that the Recommendation is sound and not clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a). Accordingly, the Court ORDERS that the June 8, 2022 Recommendation of United States Magistrate Judge Hegarty (Doc. # 71) is AFFIRMED and ADOPTED as an Order of this Court. It is

FURTHER ORDERED that Plaintiff’s Motion for Leave to Amend Complaint to Add Claim for Exemplary Damages (Doc. # 62) is DENIED.

DATED: August 1, 2022

BY THE COURT:


CHRISTINE M. ARGUELLO
Senior United States District Judge