

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAIME MELENDEZ TORRES,

Plaintiff,

vs.

Civ. No. 15-541 LH/SCY

JUAN ALTAMIRANO,
d/b/a CROSS COUNTRY AUTO,
CNA SURETY, d/b/a WESTERN SURETY
COMPANY,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Magistrate Judge Steven C. Yarbrough's Proposed Findings and Recommended Disposition ("PFRD") advising that the Court award Defendant/Cross Claimant CNA Surety \$25,538.93 in damages and attorney's fees and costs. Doc. 66. The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed award. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the record, the Court concurs with the Magistrate Judge's findings and recommendations.

IT IS THEREFORE ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 66) is ADOPTED.
2. Defendant/Cross-Claimant CNA Surety is awarded its requested relief of \$25,538.93 against Defendant Juan Altamirano in his personal capacity and d/b/a Cross Country Auto.

LeRoy Hauser
SENIOR UNITED STATES DISTRICT JUDGE