

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

Civil Action No. 18-cv-01338-CMA-STV

CHAYCE AARON ANDERSON,

Plaintiff,

v.

DEANA PALORANTA,

Defendant.

**ORDER ADOPTING DECEMBER 20, 2018 RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the December 20, 2018 Recommendation (Doc. # 52) by United States Magistrate Judge Scott T. Varholak that Defendant Deana Paloranta's Motion to Dismiss (Doc. # 42) should be granted. 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 (14) days after being served with a copy of the Recommendation. (Doc. # 52 at 12.) Despite this advisement, no objections to Magistrate Judge Varholak's Recommendation were filed by either party. "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.")).

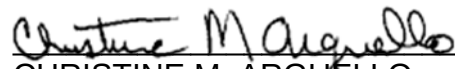
The Court has reviewed all relevant pleadings concerning the underlying claim and the Recommendation. Based on this review, the Court concludes that Magistrate Judge Varholak's thorough and comprehensive analyses and recommendations are correct and that "there is no clear error on the face of the record." Fed. R. Civ. P. 72 Advisory Committee's Note. Therefore, the Court ADOPTS the Recommendation of Magistrate Judge Varholak as the findings and conclusions of this Court.

Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 52) is AFFIRMED and ADOPTED. It is

FURTHER ORDERED Defendant's Motion to Dismiss (Doc. # 42) is GRANTED and Plaintiff's Amended Complaint (Doc. # 8) is DISMISSED WITH PREJUDICE for the reasons stated in the Recommendation.

DATED: February 13, 2019

BY THE COURT:


CHRISTINE M. ARGUELLO
United States District Judge