

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Charlotte N. Sweeney

Civil Action No. 1:22-cv-00448-CNS-KLM

KATHERINE FRIESS,

Plaintiff,

v.

BENNIE G. THOMPSON, in his official capacity as Chairman of the House Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capitol; and  
SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6<sup>TH</sup> ATTACK ON THE UNITED STATES CAPITOL, a committee of the United States House of Representatives,

Defendants.

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ORDER

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Before the Court is the Recommendation by Magistrate Mix issued on October 26, 2022, recommending that Defendants' Motion to Dismiss be granted. (ECF Nos. 24, 44). For the following reasons, the Court AFFIRMS and ADOPTS the Recommendation.

The parties were advised that they had fourteen days, after being served with a copy of the Recommendation, to file written objections in order to obtain reconsideration by the District Judge assigned to the case. *See* Fed. R. Civ. P. 72(b). Neither party has filed an objection to Magistrate Judge Mix's Recommendation.

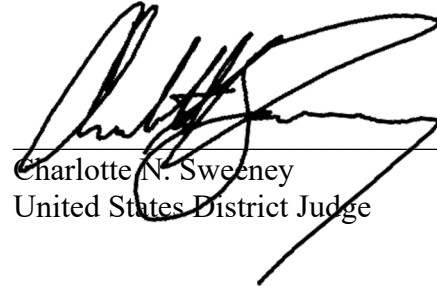
Under 28 U.S.C. § 636(b)(1)(B), this Court may designate a magistrate judge to consider dispositive motions and submit recommendations to the Court. When a magistrate judge submits a recommendation, the Court must "determine de novo any part of the magistrate judge's

[recommended] disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3). A party’s failure to file such written objections may bar the party from a de novo determination by the District Judge of the proposed findings and recommendations. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). When this occurs, the Court is “accorded considerable discretion” and “may review a magistrate’s report under any standard it deems appropriate.” *Summers v. State of Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas*, 474 U.S. at 150).

After reviewing all the relevant pleadings, the Court concludes that Magistrate Judge Mix’s analysis was thorough and comprehensive, the Recommendation is well-reasoned, and the Court finds no clear error on the face of the record. Accordingly, the Court AFFIRMS and ADOPTS Magistrate Judge Mix’s Recommendation as an Order of this Court (ECF No. 44). Defendants’ Motion to Dismiss is GRANTED (ECF No. 24).

DATED this 17<sup>th</sup> day of November 2022.

BY THE COURT:



Charlotte N. Sweeney  
United States District Judge