

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Justin Rueb v. Moses Andre Stancil, Dean Williams, and Mark Fairbairn

Rueb v. Stancil · No. 24-cv-03014-PAB-STV · Decided December 3, 2025

SUMMARY

The United States District Court for the District of Colorado accepted a magistrate judge’s recommendation after no party filed objections. The court granted defendants’ motion to dismiss, dismissed certain 42 U.S.C. § 1983 claims with or without prejudice as specified, declined supplemental jurisdiction over the state-law claims, and closed the case.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Philip A. Brimmer
JURISDICTION	United States District Court for the District of Colorado
DECIDED	December 3, 2025
DOCKET	24-cv-03014-PAB-STV
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and accepted a magistrate judge's recommendation on defendants' motion to dismiss the amended complaint after no party filed objections.
STANDARD OF REVIEW	When no party objects to a magistrate judge's recommendation, the district court may review it under any standard it deems appropriate; here, the court reviewed the recommendation for clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Justin Rueb v. Moses Andre Stancil, Dean Williams, Mark Fairbairn

TOPICS

- motions to dismiss
- section 1983
- subject matter jurisdiction
- civil procedure
- government liability

PRACTICE AREAS

QUESTIONS PRESENTED

1. What standard of review may a district court apply to a magistrate judge's recommendation when no party objects?
2. Whether defendants' motion to dismiss the amended complaint should be granted.
3. Whether the specified § 1983 claims and state-law claims should be dismissed with or without prejudice.

HOLDINGS

1. When no party objects to a magistrate judge's recommendation, the district court may review the recommendation under any standard it deems appropriate; the court may review the record for clear error.
2. The defendants' motion to dismiss the amended complaint was granted.
3. The § 1983 claims against Moses Andre Stancil and Mark Fairbairn in their official capacities were dismissed without prejudice, while Dean Williams's individual-capacity § 1983 claim for monetary damages was dismissed with prejudice.
4. The court declined supplemental jurisdiction over the plaintiff's state-law claims and dismissed those claims without prejudice.

KEY QUOTATIONS

“In the absence of an objection, the district court may review a magistrate judge’s recommendation under any standard it deems appropriate.” (at 1)

“Based on this review, the Court has concluded that the Recommendation is a correct application of the facts and the law.” (at 2)

FACTUAL BACKGROUND

Justin Rueb asserted claims under 42 U.S.C. § 1983 against Moses Andre Stancil, Dean Williams, and Mark Fairbairn, along with state-law claims. The defendants moved to dismiss the amended complaint. The district court accepted the magistrate judge's recommendation, dismissed the official-capacity claims against Stancil and Fairbairn without prejudice, dismissed Williams's individual-capacity claim for monetary damages with prejudice, and dismissed the state-law claims without prejudice after declining supplemental jurisdiction.

PROCEDURAL HISTORY

The magistrate judge issued a recommendation concerning defendants' motion to dismiss the amended complaint and advised that objections were due within fourteen days. The recommendation was served on November 6, 2025, and no party objected. The district court reviewed the recommendation for clear error, accepted it, granted the motion to dismiss, dismissed specified federal claims with prejudice or without prejudice, declined supplemental jurisdiction over the state-law claims, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Summers v. Utah, 927 F.2d 1165, 1167 (10th Cir. 1991)
- Thomas v. Arn, 474 U.S. 140, 150 (1985)
- Artis v. D.C., 583 U.S. 71, 74-75 (2018)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Chief Judge Philip A. Brimmer Civil Action No. 24-cv-03014-PAB-STV JUSTIN RUEB, Plaintiff, v. MOSES ANDRE STANCIL, DEAN WILLIAMS, and MARK FAIRBAIRN, Defendants. ORDER ACCEPTING MAGISTRATE JUDGE’S RECOMMENDATION This matter is before the Court on the Recommendation of United States Magistrate Judge [Docket No. 45].

The Recommendation states that objections to the Recommendation must be filed within fourteen days after its service on the parties. Docket No. 45 at 17 n.12; see also 28 U.S.C. § 636(b)(1)(C). The Recommendation was served on November 6, 2025. No party has objected to the Recommendation.

In the absence of an objection, the district court may review a magistrate judge’s recommendation under any standard it deems appropriate. See Summers v. Utah, 927 F.2d 1165, 1167 (10th Cir. 1991); see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It 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.”).

In this matter, the Court has reviewed the Recommendation to satisfy itself that there is “no clear error on the face of the record.”¹ Fed. R. Civ. P. 72(b), Advisory Committee Notes. Based on this review, the Court has concluded that the Recommendation is a correct application of the facts and the law.

Accordingly, it is ORDERED that the Recommendation of United States Magistrate Judge [Docket No. 45] is ACCEPTED. It is further ORDERED that defendants Motion to Dismiss Amended Complaint [Docket No. 24] is GRANTED. It is further ORDERED that the 42 U.S.C. § 1983 claims against defendants Moses Andre Stancil and Mark Fairbairn, in their official capacities, are DISMISSED without prejudice.

It is further ORDERED that the 42 U.S.C. § 1983 claims against defendant Dean Williams, in his individual capacity for monetary damages, are DISMISSED with prejudice. It is further ORDERED that the Court declines supplemental jurisdiction over plaintiff’s state law claims and

those claims are DISMISSED without prejudice.² It is further ¹ This standard of review is something less than a “clearly erroneous” or “contrary to law” standard of review, Fed.

R. Civ. P. 72(a), which in turn is less than a de novo review. Fed. R. Civ. P. 72(b). ² Under Colo. Rev. Stat. § 13-80-111(1), if claims are properly commenced within the statute of limitations and involuntarily dismissed because of lack of jurisdiction, the plaintiff “may commence a new action upon the same cause of action within ninety days after the termination of the original action or within the period otherwise allowed by this article, whichever is later.” See also *Artis v. D.C.*, 583 U.S. 71, 74-75 (2018) (holding that 28 U.S.C. § 1367(d) tolls the statute of limitations for state law claims asserted under § 1367(a) during the pendency of the federal litigation in which such claims are brought and for thirty days following involuntary dismissal of those claims on jurisdictional grounds).

² ORDERED that this case is closed. DATED December 3, 2025. BY THE COURT: xa cf PHILIP A. BRIMMER Chief United States District Judge