

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 92-CV-870-CMA (Consolidated for all purposes with Civil Action No. 96-CV-343)

JESSE MONTEZ, et al.

Plaintiffs,

-vs.-

BILL OWENS, et al.

Defendants.

Claim Number X-349

Category: Untimely Filed Claim

Claimant: Marcella E. Hunt, #68336

Address of Claimant: LVCF, 1401 W. 17th Street, Pueblo, CO 81003

ORDER OF DISMISSAL OF SPECIAL MASTER

THIS MATTER came before the Special Master on the claim form filed by Marcella E. Hunt. Since some information was missing from the claim form, on April 3, 2009 the Special Master issued an order directing Claimant to provide additional information concerning her allegations. Despite being granted up to and including May 18, 2009 in which to file a response to the order, Claimant filed nothing further.

A show cause order was issued to Claimant on May 22, 2009. Claimant has filed nothing further in support of her claim.

Claimant has failed to provide the necessary information to establish that she was disabled on or before August 27, 2003. She has provided no information to support any finding that she was the victim of discrimination prohibited by the ADA on or before August 27, 2003. The Special Master cannot find that jurisdiction exists over the claim. Therefore, the claim will be dismissed.

IT IS HEREBY ORDERED that Claimant's damage claim under Article XXXII of the Remedial Plan is dismissed for lack of jurisdiction, as Claimant has failed to establish that she was disabled on or before August 27, 2003 and the victim of discrimination on or before that date; and

IT IS FURTHER ORDERED that Claimant and Defendants are advised that they may file an objection to this Order pursuant to Federal Rule of Civil Procedure 53(g)(2), but said objection must be filed with the Clerk of the United States District Court, 901 19th Street, Denver, CO 80294 **on or before August 17, 2009.**

SIGNED this 19th day of June, 2009.

BY THE COURT:

/s/ Richard M. Borchers

Richard M. Borchers
Special Master