

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 92-CV-870-JLK

JESSE MONTEZ, et al.

Plaintiffs,

-vs.-

BILL RITTER, et al.

Defendants.

Claim Number 03-406

Category III

Claimant: Charles Mosby, #63611

Address of Claimant: FMCC, P.O. Box 200, Canon City, CO 81215-0200

ORDER OF SPECIAL MASTER

THIS MATTER comes before the Special Master on Defendants' motion to amend the final order. Claimant has filed a response to the motion.

The final order on the claim of Charles Mosby was entered on October 29, 2007. Special Master Pringle ruled in favor of Defendants and dismissed the claim. This Special Master agrees that a typographical error did occur, as there is no evidence that Claimant had a mobility impairment on or before August 27, 2003. In fact, the only category checked in the claim form was for vision impairment. The motion is granted, and the final order is amended to reflect that Claimant did not have a mobility impairment when the claim was adjudicated.

To the extent Claimant has raised continuing concerns about his vision problems, those concerns will be held in abeyance. Judge Kane has taken under advisement the issue of what jurisdiction, if any, exists for the filing of claims by *pro se* inmates for alleged discrimination after August 27, 2003.

IT IS HEREBY ORDERED that Defendants' motion to amend is granted, and the final order will reflect that Claimant was not mobility impaired on or before August 27, 2003.

SIGNED this 21st day of September, 2009.

BY THE COURT:

/s/ Richard M. Borchers

Richard M. Borchers
Special Master