

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **92-cv-00870-JLK**

JESSE MONTEZ, et al. (re: Stephen Moore, Claim # 02-128, C-002)

Plaintiffs, as representatives of themselves and all others similarly situated,
v.

BILL RITTER, et al.,

Defendants.

ORDER DENYING REQUEST (MOTION) FOR RULING (**Doc. 4240**)

Kane, J.

Claimant Stephen Moore moves for an Order pursuant to Section XXXVI of the Montez Remedial Plan declaring him vision impaired over Defendant doctor's contrary determination Defendants in "bad faith compliance." The Motion is DENIED. Mr. Moore's claims and requests for reconsideration and other attention have been addressed by the Special Masters and any appeal of those determinations implicit in his Motion is OVERRULED. The Special Master's Orders denying Mr. Moore's claim (Doc. 1818), his Motion for Reconsideration (Doc. 3130) and various other demands for relief (Doc. 3475) are supported by the record and Mr. Moore's filing provides no basis upon which to discern any abuse of discretion. To the extent Mr. Moore claims the DOC is failing to comply with the terms of the 2003 Montez Remedial Plan, that issue is being pursued on his behalf by class counsel and is set for a four week hearing commencing June 7, 2010, in my courtroom. Further filings by Mr. Moore raising these same complaints and arguments

may be STRICKEN.

Dated February 12, 2010.

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE

Service via NEF and by mail to Stephen Moore