

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 X-526

Category: Untimely Filed Claim

Claimant: Steven A. Valles, #66114

Address of Claimant: SCF, P.O. Box 6000, Sterling, CO 80751

ORDER OF DISMISSAL OF SPECIAL MASTER

THIS MATTER comes before the Special Master on the letter of Steven A. Valles. In the letter, Mr. Valles requests representation on a case brought against the Mesa County Sheriff's Department.

Claimant's letter has been sent to an office that is not able to help him. The Special Masters were appointed to adjudicate claims made pursuant to the Remedial Plan approved by Judge Nottingham. The Remedial Plan is the settlement document that established the claim process.

Judge Kane issued an order on March 23, 2010. That order established some limitations on the claims process established by Article XXXII of the Remedial Plan. A copy of that order will be provided to Claimant. Judge Kane limited claims to the following individuals: (1) inmates who were in DOC custody on or before August 27, 2003; (2) inmates who were disabled, as defined by the Remedial Plan, on or before August 27, 2003; and (3) inmates who were the victims of discrimination on or before August 27, 2003. Unless each of these three requirements is established, a claimant cannot prevail on his claim.

According to the DOC Locator, Claimant was sentenced on June 3, 2009. It appears from his DOC number that Claimant has been in custody at a prior time to this sentence. Claimant has not made a claim under Article XXXII of the Remedial Plan. He could not do so at this late date, as Judge Kane directed that all claims be filed on or before May 1, 2010.

The Special Master has erred on the side of caution in opening a file. Mr. Valles will need to seek representation through the Colorado Bar Association, America Civil Liberties Union, or comparable organization.

IT IS HEREBY ORDERED that the letter of Steven A. Valles, being treated as a new claim, is dismissed, as the claim was not filed on or before April 30, 2010; and

IT IS FURTHER ORDERED that a copy of Claimant's letter will be provided to class counsel for such action as may be deemed appropriate; and

IT IS FURTHER ORDERED that Claimant, Defendants and class counsel 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 September 28, 2010.**

SIGNED this 23rd day of July, 2010.

BY THE COURT:

/s/ Richard M. Borchers

Richard M. Borchers
Special Master