

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-00545-WYD-KLM

TONY E. POWELL,

Plaintiff(s),

v.

J. WILNER (S.I.A.),

Defendant.

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**MINUTE ORDER**

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**ORDER ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's untitled **Motion "for leave to object too [sic] ANY usage of the deposition transcript"** [Docket No. 178; Filed October 23, 2009] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **DENIED**. To the extent that Plaintiff intends to dispute the validity of Defendant's evidence attached to his Motion for Summary Judgment [Docket No. 176], the proper procedure is to file a response to Defendant's Motion and submit disputing or verified evidence as set forth in Fed. R. Civ. P. 56. The Court notes that Plaintiff's deadline to file a response to Defendant's Motion has expired. Given that Plaintiff is proceeding *pro se*,

IT IS FURTHER **ORDERED** that the Court *sua sponte* extends Plaintiff's deadline to respond to Defendant's Motion [#176] to **November 23, 2009**. Plaintiff is forewarned that despite his *pro se* status, his failure to comply with this Minute Order and file a timely Response is likely to increase the possibility that summary judgment may be entered against him.

Dated: October 23, 2009