

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-02384-PAB-MEH

EDWIN MARK ACKERMAN,

Plaintiff,

v.

JIM KEITH, BCCF Warden,
KELLY CLODFELTER, Chief of Security BCCF,
J. CUNNINGHAM, Case Manager BCCF, and
SGT. SALIZAR, BCCF Housing Sgt.,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on January 11, 2010.

Plaintiff's Motion to Open and Extend the Discovery Period [filed January 7, 2010; docket #152] is **denied**. Plaintiff's stated reason for his request is to obtain information regarding "why the Defendants deemed it appropriate that they could so casually violate the Plaintiff[sic] Constitutional Rights as they did when they held the Plaintiff for an extended period of time (42 days) in segregation [sic] without proper authority." Plaintiff provides no information as to when this alleged segregation took place. Nevertheless, if the segregation occurred before the Plaintiff filed the within Complaint, he states no reason why he was unable to obtain information regarding the segregation during the discovery period in this case. If the segregation took place after the filing of the Complaint and the Plaintiff wishes to obtain relief for such action, the Plaintiff must allege a new claim, whether through amendment pursuant to Fed. R. Civ. P. 15 or through the filing of a new action, and, in both instances, must comply with the requirements of the Prison Litigation Reform Act, including the exhaustion of administrative remedies.

Plaintiff's remaining motions, Motion to Compell [sic][filed January 7, 2010; docket #150], Plaintiff's Motion for Extension of Time [filed January 7, 2010; docket #151], Plaintiff's Motion for Appointment of Counsel [filed January 7, 2010; docket #149], and Plaintiff's Request for Order Granting Depositions and Interrogatories [filed January 7, 2010; docket #153] are **denied as moot**. All of these motions are identical to those filed in December 2009 and pertain to Plaintiff's request to reopen discovery at this stage of the litigation. *See* December 17, 2009 Order at docket #148.