

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 07-cv-00750-REB-KMT

DONALD ALTON HARPER,

Plaintiff,

v.

P. URBANO, P.A., and
NORMAN S. ROSENTHAL, M.D.,

Defendants.

MINUTE ORDER¹

The matter is before the court *sua sponte*. On May 14, 2010, the court referred to Magistrate Judge Kathleen M. Tafoya the **Appellant Petitioner Petition This Court To Issue an Injunction Against B. Gary Counsel** [#171], which was filed May 14, 2010. This case is on appeal in the Tenth Circuit Court of Appeals. Thus, the reference should be withdrawn and the petition dismissed for lack of jurisdiction.

THEREFORE, IT IS ORDERED as follows:

1. That the **Memorandum** [#172] entered May 14, 2010, is **WITHDRAWN**; and
2. That the **Appellant Petitioner Petition This Court To Issue an Injunction Against B. Gary Counsel** [#171] was filed May 14, 2010, is **DENIED** for lack of jurisdiction.

Dated: May 17, 2010

¹This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.