

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 08-cv-00498-LTB-BNB

ANTONIO DELMONICO,

Plaintiff,

v.

JEFF CAPITO (Pueblo Police Officer), in his individual and professional capacities,  
NATHAN PRUCE (Pueblo Police Officer), in his individual and professional capacities,  
CITY OF PUEBLO, COLORADO, and  
JAMES BILLINGS, JR. (Chief of Pueblo Police Dept.), in his individual and professional  
capacities,

Defendants.

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**ORDER**

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This matter arises on the following:

(1) Plaintiff's **Motion to Vacate Pretrial Conference** [Doc. # 92, filed 3/9/2009]

(the "Motion to Vacate");

(2) Plaintiff's **Motion to Compel Robert Keller to Answer the Plaintiff's**

**Interrogatories** [Doc. # 93, filed 3/9/2009] (the "Motion to Compel"); and

(3) **Plaintiff's Motion to Serve Robert Keller Another Ten Interrogatories** [Doc. # 97, filed 3/13/2009] (the "Motion for Additional Discovery").

Pursuant to Part 11 (c) of the Scheduling Order [Doc. # 50, filed 7/16/2008] I set this matter for a pretrial conference on March 16, 2009, at 10:00 a.m. Counsel for the defendants appeared at that date and time, but the plaintiff, who is proceeding pro se, failed to appear and could not be contacted by the court. I made rulings on the record at the hearing on March 16,

2009, disposing of the pending motions, which rulings are incorporated here. In summary and for the reasons stated on the record:

IT IS ORDERED that the Motion to Vacate is DENIED;

IT IS FURTHER ORDERED that the Motion to Compel is DENIED; and

IT IS FURTHER ORDERED that the Motion for Additional Discovery is DENIED.

Dated March 16, 2009.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge