

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 08-cv-01053-REB-KMT

STANLEY E. JONES,

Plaintiff,

v.

TWO UNKNOWN DOC GUARDS, a/k/a  
SGT. T. COOK and  
COWORKER,

Defendants.

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**MINUTE ORDER**

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**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

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“Plaintiff’s Motion for Leave to Amend Caption to Reflect Name of Unknown Defendant and Combined Motion to Have Defendant Served with Civil Rights Complaint Pursuant to Fed. R. Civ. P. 15(a)” (# 38, filed September 22, 2009) is DENIED without prejudice. Plaintiff failed to confer with Defendant before filing the present motion. The Tenth Circuit has cautioned that *pro se* litigants “must follow the same rules of procedure that govern other litigants.” *Green v. Dorrell*, 969 F.2d 915, 917 (10th Cir. 1992) (“[W]e have repeatedly upheld dismissals in situations where the parties themselves neglected their cases or refused to obey court orders.”(citing cases)). The Local Rules of Practice for the District of Colorado require all parties to confer on motions and other disputes before a motion is filed. D.Colo.LCivR 7.1A; *see also Visor v. Sprint*, 1997 WL 796989 (D. Colo. 1997).

Dated: September 23, 2009