

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02505-PAB-CBS

CASEY BERNARD RODRIGUEZ,  
Plaintiff,  
v.

WILEY,  
DR. ALLRED,  
DR. NAFZINGER,  
HSA BAUER,  
HSA SMITH (ASST),  
G. RAMIREZ,  
UNIT MNGR. COLLINS,  
NURSE GLADBACH, and  
LT. JANSON,  
Defendants.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Mr. Rodriguez' "Request for Entry of Default Judgment" (filed August 18, 2009) (doc. # 79). Pursuant to the Order of Reference dated December 16, 2008 (doc. # 7) and the memorandum dated August 21, 2009 (doc. # 81), this matter was referred to the Magistrate Judge. The court has reviewed Mr. Rodriguez' Request, Mr. Rodriguez' accompanying Affidavit (doc. # 80), the entire case file, and the applicable law and is sufficiently advised in the premises.

Mr. Rodriguez seeks default judgment against Defendants Collins and Ramirez for "not filing, serving, or answering . . . ." (See doc. # 80). Contrary to Mr. Rodriguez' assertion, Defendants Collins and Ramirez filed a Motion to Dismiss on August 12, 2009. (See doc. # 75).

Accordingly,

IT IS ORDERED that Mr. Rodriguez' "Request for Entry of Default Judgment" (filed August 18, 2009) (doc. # 79) is DENIED.

DATED at Denver, Colorado, this 21st day of August, 2009.

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge