

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02534-KLM-KMT

TAWNYA GOETZ,
KATHLEEN CLARK,
KATHERINE FISHER,
MONICA FISHER,
TESSIE KING,
APRIL POPE,
HEATHER POWERS,
DEBORAH WAY, and
TAMI YELVINGTON,

Plaintiff,

v.

ARISTIDE ZAVARAS, and
LARRY REID,

Defendants.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Pamela Johnson's **Motion for Reinstatement or Advisory of Action** [Docket No. 107; Filed December 2, 2009] and **Motion for Reinstatement of Plaintiff Pamela Johnson (#64097)** [Docket No. 135; Filed January 15, 2010] (the "Motions").

On November 21, 2008, this case was filed by current and former inmates of the La Vista Correctional Facility [#3]. One of the named Plaintiffs was Pamela Johnson. *Id.* On the day the complaint was filed, the Court ordered Plaintiffs to cure its deficiencies and file motions to proceed *in forma pauperis* within 30 days. [#2]. That Order was returned as

undeliverable to the last known address of Ms. Johnson. [#17].

An Amended Complaint was filed on December 15, 2008. [#41]. Johnson was not named in the Amended Complaint. *Id.* Because Johnson was no longer a Plaintiff, the Clerk of the Court terminated her as a party. On August 19, 2009, through counsel, Plaintiffs filed a Second Amended Prisoner Complaint. [#91]. Johnson was not named in that complaint. Johnson now seeks reinstatement as a Plaintiff in this case.

Johnson moves for reinstatement almost a year after she was terminated as a party. She asserts that she was released from La Vista Correctional Facility on November 17, 2008 and then later imprisoned at the Denver Women's Correctional Facility until December 4, 2009 [#107, 135]. As of January 15, 2010, she was back in custody at La Vista Correctional Facility. [#135].

D.COLO.LCivR 10.1M requires that "[w]ithin five days after any change of address ... of any attorney or pro se party, notice of the new address, e-mail address, or telephone number shall be filed." Plaintiff did not inform the Court of a change of address until eleven months after her case was dismissed. *Pro se* parties are not excused from the obligations to follow the same rules that govern other litigants. *Green v. Dorrell*, 969 F.2d 915, 917 (10th Cir. 1992). Johnson has failed to follow the Local Rules or to litigate her case. The Court finds that there is no basis for reinstating her cause of action. Accordingly,

IT IS HEREBY **ORDERED** that Pamela Johnson's Motions [#107, 135] are **DENIED**.

Dated: February 10, 2010

BY THE COURT:

s/ Kristen L. Mix
Kristen L. Mix
United States Magistrate Judge