IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02612-WYD-MEH

JAMES K. CONKLETON,

    Plaintiff,

v.

ARISTEDES W. ZAVARAS, in his official capacity as Executive Director of the Colorado
Department of Corrections (CDOC),
JOE STOMMEL, in his official capacity as the Program Administrator of the Sex Offender
Treatment and Monitoring Program (SOTMP) for the CDOC,
JOHN P. MCGILL, in his individual and official capacities as Treatment Provider for the SOTMP,
BONNIE CANTU, in her individual and official capacities as Treatment Provider for the SOTMP,
JAMES LANDER, in his individual and official capacities as Treatment Provider for the SOTMP,
ED MURO, in his individual and official capacities as a Correctional Officer I for the CDOC,
RICHARD DEGROOT, in his individual and official capacities as a Case Manager for the CDOC,
CATHIE HOLST, in her official capacity as Manager for the Office of Correctional Legal Services
for the CDOC,
THOMAS MISEL, in his individual and official capacities as Case Manager Supervisor, CDOC,
AL ESTEP, in his official capacity as the Warden of the CDOC's Fremont Correctional Facility, and
RICHARD LIND, in his individual and official capacities as a Correctional Officer V,

    Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on September 22, 2009.

        Plaintiff's Motion to Deem First Set of Request for Admission Admitted for Lack of
Response [filed September 21, 2009; docket #85] is **denied without prejudice**. According to the
Plaintiff, he mailed his request for admissions to Defendant DeGroot on July 30, 2009; however, he
demonstrates no showing of service or mailing of the requests to Mr. DeGroot[1] (i.e., the document
contains no certificate of service or certificate of mailing). *See* Fed. R. Civ. P. 5(a)(1)(C) and
5(d)(1). The Plaintiff may re-file his motion with the appropriate showing.

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        [1]This is unlike Plaintiff's requests for admissions addressed to Defendant Misel, which
contains a Certificate of Mailing. *See* docket #84 at 5.