

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02719-ZLW

CÉSAR TENE GUTIERREZ,

Plaintiff,

v.

JULIA RAMOS, Manager, and  
VALLEY PARK APARTMENTS,

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

FEB 12 2009

GREGORY C. LANGHAM  
CLERK

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ORDER VACATING JANUARY 28, 2009,  
ORDER OF DISMISSAL AND JUDGMENT

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Plaintiff César Tene Gutierrez currently is detained at the Denver County Jail in Denver, Colorado. Mr. Gutierrez filed two Letters on February 5, 2009. In the Letters, Mr. Gutierrez questions the dismissal of the instant action.

Upon review of the order entered by Magistrate Judge Boyd N. Boland on January 15, 2009, the Order of Dismissal and the Judgment entered on January 28, 2009, should be vacated. Accordingly, it is

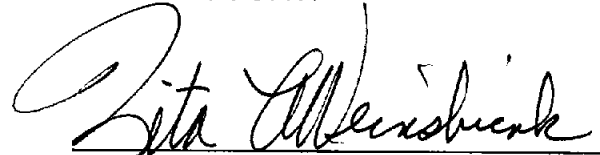
ORDERED that the Court's Order of Dismissal and the Judgment entered on January 28, 2009, are vacated. It is

FURTHER ORDERED that the case and action again are referred to Magistrate Judge Boyd N. Boland for further initial review. It is

FURTHER ORDERED that Plaintiff shall have thirty days from the date of the instant Order to comply with the January 15, 2009, Order.

DATED at Denver, Colorado, this 11 day of Feb., 2009.

BY THE COURT:

A handwritten signature in cursive script, reading "Zita L. Weinsienk". The signature is written in black ink and is positioned above a horizontal line.

ZITA L. WEINSHIENK, Senior Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 08-cv-02719-ZLW

Cesar Tene Gutierrez  
Prisoner No. 1609402  
Denver County Jail  
PO Box 1108  
Denver, CO 80201

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 2/12/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk