

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 08-cv-02821-WYD-MJW

ROBERT R. ROGERS,

Plaintiff,

v.

TANIA GARCIA, individually and as the Drug and Alcohol Therapeutic Community Coordinator at the Colorado Department of Corrections;
ART DUCHARME, individually and as a contract drug and alcohol therapist with the Colorado Department of Corrections; and
DANA M. BUSTOS, individually and as the Director of Alcohol and Drug Services at the Colorado Department of Corrections.

Defendants.

ORDER

THIS MATTER is before the Court on the Recommendation on Plaintiff's Emergency Motion for Protection from Defendants (Docket No. 43) filed August 7, 2009. Magistrate Judge Watanabe recommends therein that the motion be denied. No response was filed to the Recommendation. However, on September 28, 2009, Plaintiff filed an unopposed motion to withdraw his emergency motion, which was granted by Minute Order of September 30, 2009. Since the Emergency Motion for Protection from Defendants has now been withdrawn, it is

ORDERED that the Recommendation on Plaintiff's Emergency Motion for Protection from Defendants (Doc. # 104) is **DENIED AS MOOT**.

Dated: October 16, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge