

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00157-PAB-MJW

SUSAN P. WILLIAMS,

Plaintiff(s),

v.

WARREN A. PROUD,

Defendant(s).

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby **ORDERED** that the Pro Se Plaintiff's Motion for Accommodation Under the A.D.A. (docket no. 18) is **GRANTED**. This motion (docket no. 18) is captioned "Plaintiff's Motion for Accommodation Under the A.D.A.", however, it appears that the Plaintiff seeks only a continuance of the Rule 16 Scheduling Conference set on May 6, 2009, at 10:00 a.m. Plaintiff does not seek any other "accommodation" according the four corners of her motion (docket no. 18) and the attached letter dated April 21, 2009, to Gregory C. Langham, Clerk of the U.S. District Court signed by Plaintiff.

Pro Se litigants must "comply with the fundamental requirements of the Federal Rules of Civil and Appellate Procedure." *Odgen v. San Juan County*, 32 F.3d 452, 455 (10th Cir. 1994); *Hickey v. (NFN) Van Austin et al.*, 1999 CJC.AR 5979

The fact that a party is appearing pro se does not relieve that individual from the obligation of complying with all applicable rules of the court. *Colorado v. Carter*, 678 F. Supp. 1484, 1490 (D. Colo. 1986); *Hall v. Doering*, 997 F. Supp. 1464, 1468 (D. Kan. 1998) (pro se plaintiffs are held to the same rules of procedure which apply to other litigants).

It is not the proper function of the district court to assume the role of advocate for the pro se litigant. *Gibson v. City of Cripple Creek*, 48 F.3d 1231, (10th Cir. 1995).

It is **FURTHER ORDERED** that the Rule 16 Scheduling Conference set on May 6, 2009, at 10:00 a.m. is **VACATED** and **RESET** to June 15, 2009, at 9:30 a.m., in Courtroom A-502, Fifth Floor, Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado. The parties shall file their proposed Rule 16 Scheduling Order five (5) prior to the Scheduling Conference. The parties shall file their initial confidential settlement

statements with Magistrate Judge Watanabe chambers five (5) days prior to the Rule 16 Scheduling Conference.

Date: April 29, 2009
