

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00278-CMA-MEH

LUKE PREACHER and  
MIKEAL GLENN STINE,

Plaintiffs,

v.

RON WILEY, Warden ADX-Florence,  
B. A. BLEDSOE, Warden USP Marion,  
J. FOX, Associate Warden ADX-Florence,  
MARK COLLINS, Unit Manager ADX-Florence,  
GEORGE KNOX, Conselor ADX-Florence,  
J. MANLEY, Lieutenant ADX-Florence,  
TINA SUDLOW, Case Manager ADX-Florence,  
CORR. OFFICER MANSPEAKER, ADX-Florence,  
CORRECTIONAL OFFICER BREAM, ADX-Florence,  
J. D. WALTERS, Lieutenant ADX-Florence,  
CORR. OFFICER BARBARA BATULIS, ADX-Florence, and  
JOHN DOE, Unknown Person,

Defendants.

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MINUTE ORDER

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Entered by Michael E. Hegarty, United States Magistrate Judge, on April 20, 2009.

Pending before the Court is a Motion for Permissive Intervention and Motion to Attend Preliminary Scheduling/Status Conference by Telephone filed by proposed intervenors George Scalf, Damani Nantambu, David Baxter and Robert Utley [filed April 27, 2009; docket #24]. The motion is construed as a request to intervene in the instant litigation,<sup>1</sup> and is **denied without prejudice** for failure to comply with Fed. R. Civ. P. 24(c)'s requirement to file a motion "stat[ing] the grounds for intervention," which must "be accompanied by a *pleading* [here, a complaint] that sets out the claim or defense for which intervention is sought" (emphasis added).

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<sup>1</sup>Intervention is a procedure by which an outsider with an interest in a lawsuit may come in as a party though the outsider has not been named as a party by the existing litigants. 7C Wright, Miller & Kane, Federal Practice & Procedure § 1901 (3d ed. 2007).