

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

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

LUKE PREACHER, and
DAWANE MALLET, T,

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, Counselor 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,
LIEUTENANT C. RIVERS,
CAPTAIN KRIST, and
JOHN DOE, Unknown Person,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on February 3, 2010.

Plaintiff Preacher's Motion to Compell [sic] . . . [filed February 1, 2010; docket #351] is **denied**. Plaintiff Preacher filed a similar motion on December 28, 2009, which the Court addressed on December 31, 2009, and January 6, 2010. (*See* dockets ##342, 344, 346.) Essentially, Plaintiff Preacher again claims that certain documents he has mailed to this Court have not been entered on the docket.

Regarding the October 20, 2009, "Plaintiff First Interrogatories to Defendants" document submission, the Clerk properly returned such entry because "disclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses must not be filed until they are used in the proceeding or the court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission." Fed. R. Civ. P. 5(d). (*See* docket #351 at 8.)

The Court addressed Plaintiff Preacher's motion regarding the November 9 and November 17, 2009 submission of documents previously in its December 31, 2009, and January 6, 2010 minute order and accordingly directs Plaintiff to dockets #344 and 346.