

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 09-cv-00309-MSK-KMT

SUZANNE SHELL,

Plaintiff,

v.

LEONARD HENDERSON,
FAMILIES AT RISK DEFENSE ALLIANCE,
FRANCINE RENEE CYGAN,
ILLINOIS FAMILY ADVOCACY COALITION,
GEORGIA FAMILY RIGHTS, INC.,
NATIONAL ASSOCIATION OF FAMILY ADVOCATES,
CONNECTICUT DCF WATCH,
BRENDA SWALLOW, and
RANDALL BLAIR,

Defendants.

ORDER

This matter is before the court on “Defendant Swallow’s Notice of Intent to Appeal Decision of Magistrate Judge (Doc. # 1083)” [Doc. No. 1089] filed March 4, 2013.

Given the timing of this Notice, which appears to this court to constitute an Objection to this court’s order [Doc. No. 1083], and the fact that all remaining parties in the case are appearing *pro se*, this Court particularly advises the parties as follows:

Motions concerning discovery matters which are non-dispositive pretrial matters pursuant to 28 U.S.C. § 636(b)(1)(A), if referred to a Magistrate Judge for resolution, may be reconsidered by the District Court only “where it has been shown that the magistrate judge’s order is clearly erroneous or contrary to law.” *Id.* Further, the parties are advised that D.C.COLO.LCivR 30.2 provides

B. Objection to Discovery Order by Magistrate Judge. The filing of an objection, pursuant to Fed. R. Civ. P. 72(a), to an order by a magistrate judge concerning a discovery issue **does not stay the discovery to which the order is directed.** Any stay of the magistrate judge’s order must be sought and obtained separately by motion filed initially with the magistrate judge, and if denied, then with the assigned district court judge. The motion shall be supported by good cause.

Id. (emphasis added). No stay has been sought or obtained in this matter.

Failure to comply with an Order issued by this court can result in sanctions, including certification of contempt to the District Court and other sanctions, up to and including entry of judgment against the offending party. Therefore, compliance with the Order [Doc. No. 1083] is required unless and until either the District Court or this court grants a stay or until the District Court rules on the objection, whichever comes first.

Dated this 5th day of March, 2013.

BY THE COURT:



Kathleen M Tafoya
United States Magistrate Judge