

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 09-cv-00414-WDM-BNB

UNITED STATES OF AMERICA, ex rel WAYNE ROWE,

Plaintiff,

v.

GORDON P. RHEAUME, D.P.M.,
STANLEY C. RHEAUME, D.P.M., P.C., and
MARABETH JOHNSON,

Defendants.

ORDER

This matter arises in connection with an e-mail sent directly to my chambers on 3/8/2010 (the “3/8/2010 e-mail”) requesting a continuance of the scheduling conference set for March 11, 1020, at 9:00 a.m.

The plaintiff is proceeding *pro se*, and I must liberally construe his filings. Hall v. Bellmon, 935 F.2d 1106, 1109 (10th Cir. 1991). He still must “follow the same rules of procedure that govern other litigants,” however. Nielsen v. Price, 17 F.3d 1276, 1277 (10th Cir. 1994).

Local rule of practice 77.2, D.C.COLO.LCivR, provides:

In the absence of previous authorization, no attorney or party to any proceedings shall send letters, pleadings, or other papers or copies directly to a judicial officer. Unless otherwise instructed, all matters to be called to a judicial officer’s attention shall be submitted through the clerk, with copies served on all other parties or their attorneys. No attorney or party shall contact orally a judicial officer regarding any case by telephone, in person, or through any other means, unless all other parties in the matter, or

their attorneys, are present or on the telephone.

The 3/8/2010 e-mail violates D.C.COLO.LCivR 77.2. The plaintiff is cautioned that he must comply with the filing requirements of D.C.COLO.LCivR 77.2, and that all motions must comply with the formatting requirements of D.C.COLO.LCivR 10.1.

IT IS ORDERED that the 3/8/2010 e-mail is STRICKEN.

Dated March 9, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge