

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00487-PAB-MJW

ELMER MARSH,
#40449

Plaintiff,

v.

RICHARD PERSONS, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion to Compel and for Sanctions Pursuant to Fed. R. Civ. P. 37(a) and Request for Forthwith Hearing (docket no. 78) is premature and therefore DENIED.

On February 24, 2010, Plaintiff's counsel served discovery requests upon defense counsel. See Exhibit A attached to the subject motion (docket no. 78). Accordingly, the responses to such discovery requests are not due until March 26, 2010. Plaintiff filed the subject motion (docket no. 78) on March 9, 2010, which is prior to the date that discovery responses need to be provided to Plaintiff. Thus, the subject motion (docket no. 78) is premature and should be denied at this time.

Date: March 11, 2010
