

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00537-WYD-KLM

JACOB IND,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS,
SUSAN JONES,
MARY NELL MCCORMICK,
MCCAIN HILDEBRAND,
RENE OLIVETT,
JAMES W. BROWN, and
ANTHONY DECESARO,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion for Enlargement of Time** [Docket No. 96; Filed October 18, 2010] ("Motion No. 96") and **Motion for Leave to Amend Complaint** [Docket No. 100; Filed October 22, 2010] ("Motion No. 100"). Pursuant to Chief Judge Daniel's Order on my Recommendation [Docket No. 95], Plaintiff was permitted to file an amended complaint on or before October 22, 2010. Prior to the deadline, Plaintiff moved to extend the time period for him to file an amended complaint. The Court sought Defendants' position prior to ruling on Motion. No. 96 [Docket No. 98]. Defendants filed a Response in opposition to the Motion on October 22, 2010 [Docket No. 99]. Also on October 22, 2010, Plaintiff moved to amend his Complaint, and attached his Amended Complaint to Motion No. 100. Accordingly,

IT IS HEREBY **ORDERED** that Motion No. 96 is **DENIED as moot**. Plaintiff filed an Amended Complaint by the October 22, 2010 deadline. Therefore, no extension is necessary.

IT IS FURTHER **ORDERED** that Motion No. 100 is **GRANTED**. Pursuant to Chief Judge Daniel's Order, Plaintiff was permitted to file an amended complaint without seeking leave of the Court. Therefore, Plaintiff's Amended Complaint [Docket No. 100-1] shall be accepted for filing as of today's date. By granting this Motion, the Court makes no determination as to the adequacy of the Amended Complaint.

IT IS FURTHER **ORDERED** that Defendants shall answer or otherwise respond to the Amended Complaint on or before **November 10, 2010**.

IT IS FURTHER **ORDERED** that any motion to modify the discovery deadline of November 29, 2010 and/or the dispositive motions deadline of December 29, 2010 must be filed on or before **November 10, 2010**.

Dated: October 25, 2010