

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.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Motion to Compel Depositions, Sanctions, and Stay of Discovery** [Docket No. 114; Filed December 2, 2010] (the "Motion"). Plaintiff seeks to compel Defendants to submit to depositions and to sanction them for their failure to do so. The deadline for Plaintiff to conduct depositions is December 30, 2010 [Docket No. 111]. Pursuant to the Motion, Plaintiff also seeks an extension of the deadline to conduct depositions. On December 10, 2010, Plaintiff filed a pleading indicating that he had deposed Defendants on December 7, 2010 [Docket No. 116]. Pursuant to this pleading, the Court directed Plaintiff to file a status report addressing whether the present Motion was moot [Docket No. 118]. Although Plaintiff filed a pleading on the date of the Court's deadline for filing a status report, he failed to address the status of the present Motion. Regardless of Plaintiff's silence, the record reflects that Plaintiff conducted depositions of Defendants within the deadline set by the Court. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**. To the extent that Plaintiff suffered any injury from the delay, he may file a motion detailing that injury and proposing an appropriate relief. On the present pleadings, other than speculation of Plaintiff, there is no basis to impose sanctions for the delay.

Dated: December 22, 2010