

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01018-PAB

KENNETH L. SMITH,

Plaintiff,

v.

STEPHEN H. ANDERSON, et al.,

Defendants.

MINUTE ORDER

Entered by Judge Philip A. Brimmer

On October 8, 2009, plaintiff Kenneth L. Smith filed a motion for Rule 11 sanctions [Docket No. 13]. He certifies that he also served the motion on October 8, 2009. Pursuant to Fed. R. Civ. P. 11(c)(2), a motion for sanctions "must be served under Rule 5, but it must not be filed or be presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets." As a consequence of plaintiff's failure to abide by the requirements of Fed. R. Civ. P. 11(c)(2), it is

ORDERED that the motion for Rule 11 sanctions [Docket No. 13] is denied.

Dated October 14, 2009.