

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01041-CMA-KLM

EARL WILLIAM CAMPBELL, JR.,

Plaintiff,

v.

KEVIN MILYARD,
DR. FLOYD POHLMAN, M.D.,
DR. GAGEN SINGH, M.D.,
DR. J.G. FORTUNATO, D.O.,
STERLING REGIONAL MED. CENTER,
BEVERLY DOWIS, H.S.A.,
KATHERN RITTENHOUSE, P.A.C.,
BRIAN WEBSTER, P.A.C., and
SERGEANT JOHNSON, LU-3,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the **Plaintiff's Motion to Strike** [Docket No. 36; Filed November 12, 2009] (the "Motion").

In the Motion, Plaintiff requests that the Court strike Defendant Pohlman's Motion to Dismiss [Docket No. 32]. Plaintiff states that he did not receive a copy of the Motion. However, Defendant Pohlman's Motion contains the necessary certificate of service, indicating that a copy of the Motion was mailed to Plaintiff at his address at the Sterling Correctional Facility. Furthermore, subsequent filings by Plaintiff that are responsive to Motion No. 32 make clear that he does have access to a copy of the Motion. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: May 4, 2010