

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 09-cv-01051-ZLW-KMT

JOHN NASIOUS,

Plaintiff,

v.

BARRY GOLDSMITH
PAULA FRANTZ
STEPHEN KREIBS
JO ANN STOCK
TEJENDER SINGH
JASON ZWIRN
SHANE McMAHIL,
NANCY WHITE,
ST. MARTIN,
KENNETH LeFEVER,
MARK BOLT,
CAPTAIN WEINGARDT,
MAJOR JOHNSON,
CATHIE HOLST,
ADRIENNE JACOBSON,
BRIAN WEBSTER,
REGINA JOHNSON,
LT. JIMBERSON,
MS. HAVERLY,
TWO BEARS CHAVES,
BECKY BALL,
MARK BROADDUS,
ARISTEDES ZAVARAS,
BILL RITTER, and
MARTHA MUELLER,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

This matter is before the Court on Plaintiff's letter/motion demanding that the Court serve the opposing parties in this case (#42, filed January 8, 2010). The Department of Corrections defendants, pursuant to this Court's order (#46) filed their response, stating that pursuant to the Court's Electronic Case Filing Procedures documents filed by prisoner *pro se* parties will be scanned and uploaded into ECF by court staff, and, therefore, these defendants state the motion is moot. This Court is well aware of the ECF procedures. The procedures do not exempt a *pro se* prisoner from serving opposing parties. In fact, Section V.G.6. of the procedures states that "a filer who is permitted or required to file paper copies of documents . . . must also serve paper copies on all parties entitled to service or notice." However, it appears the CDOC defendants do not object to service by the Court's ECF notification, and as all defendants are registered and receive filings through the Court's ECF system, Plaintiff's motion (#42) is GRANTED. Plaintiff is no longer required to provide paper copies of documents, **excluding written discovery requests and responses**, to the defendants in this matter only.

Dated: January 12, 2010