

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01169-LTB-CBS

SOLOMON BEN-TOV COHEN,  
Plaintiff,

v.

JOHN P. LONGSHORE, Field Office Director U.S. Dept. Of Homeland Security/ICE,  
and  
CAROLYN VAN BARNEVELDT, Mail Clerk El Paso County Sheriff's Office, Colorado,  
Defendants.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Plaintiff Mr. Cohen's "Motion to Amend Complaint" (filed January 19, 2011) (Doc. # 49). Pursuant to the Order of Reference dated January 12, 2011 (Doc. # 43) and the memorandum dated January 20, 2011 (Doc. # 50), this matter was referred to the Magistrate Judge. Defendants have not objected to Mr. Cohen's Motion. On December 17, 2011, the case was reinstated pursuant to the December 13, 2010 mandate of the United States Court of Appeals for the Tenth Circuit. (See Docs. # 39 and # 38). The Tenth Circuit concluded that the district court had erred in denying Mr. Cohen's previous tendered amendment to his pleading. *Cohen v. Longshore*, 621 F.3d 1311, 1318 (10th Cir. 2010).

Accordingly, IT IS ORDERED that:

1. Plaintiff Mr. Cohen's "Motion to Amend Complaint" (filed January 19, 2011) (Doc. # 49) is GRANTED.
2. Mr. Cohen's tendered "Prisoner Complaint" (Doc. # 49-1) is hereby accepted for filing *as the Third Amended Complaint*.

Dated at Denver, Colorado this 3rd day of March, 2011.

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge