

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01709-WYD-KLM

SHANE MCMILLAN,

Plaintiff,

v.

WILEY,
FOX,
JONES,
JAVERNICK,
COLLINS,
FENLON,
MADISON,
NALLEY,
WATTS,
LAPPIN, and,
DAVIS,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion for the Following Facts to be Considered While Reviewing Defendant's Martinez Report** [Docket No. 50; Filed June 10, 2010] (the "Motion"). The Court construes the Motion as a request to be heard prior to issuance of a ruling on a motion for summary judgment or other dispositive motion that may be filed some time in the future.

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**. Plaintiff's request is premature. In addition, to the extent that any dispositive motion is filed, Plaintiff will be given an opportunity to oppose the motion and provide facts and law that he would like to have considered in resolution of the motion. When the issue is ripe, Plaintiff is reminded of his obligation to submit facts and evidence pursuant to the procedures set forth in Fed. R. Civ. P. 56.

Dated: June 11, 2010