

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01711-REB-CBS

GAETANO IZZO,  
Applicant,  
v.

RON WILEY, Warden,  
Respondent.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Mr. Izzo's letter inquiring about the status of this case (filed November 24, 2009) (doc. # 12). Pursuant to the Order of Reference dated August 18, 2009 (doc. # 8), this civil action was referred to the Magistrate Judge to, *inter alia*, “[h]ear and determine pretrial matters, as referred” and “[p]rovide a report and recommendation with regard to the petition.” The court need not respond to a letter such as Mr. Izzo’s that is not submitted in the form of a motion and has not been served on the Respondent. Nevertheless, the court hereby responds to Mr. Izzo’s inquiry as follows.

The court is aware of Mr. Izzo's pending Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (“Petition”) (doc. # 1). The court will issue a Recommendation on the Petition in due course, as promptly as possible in light of the numerous other cases currently before the court. Upon the issuance of a Recommendation, the parties may object, as provided by Title 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Upon the filing of timely objections the District Judge may

review *de novo* the Magistrate Judge's proposed findings and recommendations.

IT IS THEREFORE ORDERED that Mr. Izzo's letter inquiry (filed November 24, 2009) (doc. # 12) has been responded to as explained in this Order.

DATED at Denver, Colorado, this 30th day of November, 2009.

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge