

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01872-WYD-CBS

VITO JOSEPH KERSHAW,
Plaintiff,

v.

J. GRAYSON ROBINSON, Sheriff,¹
Defendant.

ORDER

Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Plaintiff Mr. Kershaw's letter requesting a copy of the "12 page complaint . . . indigently . . ." and asking "has the Board of Commission of Arapahoe County been added to this Complaint, Lawsuit?" (filed October 20, 2009) (doc. # 23) (docketed by the Clerk of the Court as "Motion for Leave to receive copy of complaint indigently"). Pursuant to the Order of Reference dated September 18, 2009 (doc. # 12) and the memorandum dated October 21, 2009 (doc. # 24), this matter was referred to the Magistrate Judge. The court has reviewed the matter and the entire case file and is sufficiently advised in the premises.

First, the Clerk of the Court already mailed Mr. Kershaw a copy of the Complaint (doc. # 3) on October 14, 2009, pursuant to Mr. Kershaw's previous request. (See docs. # 14 and # 19).

¹ Defendants County of Arapahoe and State of Colorado were dismissed on September 15, 2009. (See "Order to Dismiss in Part and to Draw Case to a District Judge and to a Magistrate Judge" (doc. # 10)).

Second, the Magistrate Judge has issued a Recommendation that Mr. Kershaw's "Motion to Add A.C. Board of Commission to Complaint [sic]" be denied as unnecessary and futile. As explained in the court's Order and Recommendation (doc. # 19), Mr. Kershaw may object to the Recommendation and District Judge Daniel will ultimately decide Mr. Kershaw's "Motion to Add A.C. Board of Commission to Complaint [sic]."

Accordingly, IT IS ORDERED that Mr. Kershaw's letter requesting a copy of the "12 page complaint . . . indigently . . ." and asking "has the Board of Commission of Arapahoe County been added to this Complaint, Lawsuit?" (filed October 20, 2009) (doc. # 23) (docketed by the Clerk of the Court as "Motion for Leave to receive copy of complaint indigently") is DENIED. Mr. Kershaw's request for a copy of the "12 page complaint" is moot and his question whether "the Board of Commission of Arapahoe County been added" is premature.

DATED at Denver, Colorado this 21st day of October, 2009.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge