

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

Civil Action No. 09-cv-01991-WYD-KMT

JACOB DANIEL OAKLEY,

Plaintiff,

v.

ARISTEDES W. ZAVARES, Executive Director, D.O.C.,
SUSAN JONES, Warden, CSP,
STEP 1 GRIEVANCE, BD. JOHN OR JANE DOE #1
STEP 2 GRIEVANCE, BD. JOHN OR JANE DOE #2
STEP 3 GRIEVANCE, BD. JOHN OR JANE DOE #3
ANTHONY A. DESSESSARO, Grievance Board,
WILLIAM RICHTER #5, COPD BD, of Discipline,
POCHECHO #4, COPD BD, of Discipline
JOHN OR JANE DOE #6, Inmate Banking Chain of Command,
JOHN OR JANE DOE #7, Inmate Banking Chain of Command,
JOHN OR JANE DOE #8, Inmate Banking Chain of Command,
JOHN OR JANE DOE #9, Inmate Banking Chain of Command,
P. HUNTER, Inmate Banking Chain of Command,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

Plaintiff's "Objection to 'Defendants Motion to Dismiss' Motion to dismiss the defendants motion to dismiss" (Doc. No. 58, filed April 26, 2010), is construed by the court as a sur-response to "Defendants' Motion to Dismiss Plaintiff's Third Amended Prisoner Complaint" (Doc. No. 47). Plaintiff previously filed his "Motion to dismiss the defendants 'Motion to Dismiss' " (Doc. No. 51 [construed by this court as a response to the motion to dismiss]), along with a letter/motion apologizing for his "delay in filing [his] response to the defendants' motion to dismiss' " (Doc. No. 52) on April 5, 2010. This court notified Plaintiff by minute order on April 6, 2010, that Plaintiff's response to the Motion to Dismiss was due on April 8, 2010" and that "[a]s such, his Response was timely filed on April 5, 2010." (Doc. No. 54.) Plaintiff may

not, without being granted permission from the court, now file a sur-response.
D.C.COLO.LCivR 7.1C. Accordingly, document number 58 is **STRICKEN**.

Plaintiff's "Order to dismiss the grievance officers, and order to produce copies" (Doc. No. 56) is DENIED. The court previously advised Plaintiff it would not provide extra copies of other documents to him. (Doc. No. 54.) Likewise, this court will not provide copies of documents filed in Plaintiff's case to fellow inmates.

To the extent Plaintiff seeks to dismiss certain defendants, Plaintiff has failed to specify which defendants he seeks to dismiss. Plaintiff is granted leave to re-file a voluntary motion to dismiss specific defendants pursuant to Fed. R. Civ. P. 41(a).

Dated: April 27, 2010