

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Robert E. Blackburn, Judge**

Civil Case No. 09-cv-02052-REB-MEH

ALISON MAYNARD, and  
GERALD LEWIS,

Plaintiffs,

v.

COLORADO SUPREME COURT OFFICE OF ATTORNEY REGULATION COUNSEL,  
and APRIL McMURREY, JOHN GLEASON, JAMES COYLE, employees of that office,  
in their individual capacity,  
THE COLORADO SUPREME COURT, and MARY MULLARKEY, GREGORY J.  
HOBBS, JR., NANCY RICE, MICHAEL BENDER, NATHAN BEN COATS, ALEX  
MARTINEZ, and ALLISON EID, the justices thereof, in their individual capacities,

Defendants.

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**ORDER OF RECUSAL**

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**Blackburn, J.**

This matter comes before me *sua sponte*. To eschew the appearance of impropriety, I conclude that I must recuse myself from this case.

As a general rule, recusal is required when "a reasonable person armed with the relevant facts would harbor doubts about the judge's impartiality." ***Maez v. Mountain States Telephone & Telegraph, Inc.***, 54 F.3d 1488, 1508 (10<sup>th</sup> Cir. 1995). Pursuant to 28 U.S.C. § 455, a judge should recuse himself from a case when his participation in the case creates an appearance of impropriety. ***See United States v. Pearson***, 203 F.3d 1243, 1264 (10<sup>th</sup> Cir.), ***cert. denied***, 120 S.Ct. 2734 (2000). The standard under 28 U.S.C. § 455(a) is an objective one, requiring recusal only "if a reasonable person, knowing all the relevant facts, would harbor doubts about the judge's impartiality."

***United States v. Cooley***, 1 F.3d 985, 993 (10<sup>th</sup> Cir. 1993) (citations omitted).

I have a close personal and professional relationship with several of the named defendants in this action, specifically the justices of the Colorado Supreme Court. Accordingly, my impartiality might reasonably be questioned, and the appearance of impropriety may very well exist, warranting my *sua sponte* recusal and disqualification as required by 28 U.S.C. § 455 (a) and Canon 3.C(1) of the Code of Conduct for United States Judges, 175 F.R.D. 364, 368 (1998).

**THEREFORE, IT IS ORDERED** as follows:

1. That under 28 U.S.C. § 455(a), I **RECUSE** myself from this case; and
2. That the case **SHALL BE REASSIGNED** pursuant to D.C.COLO.LCivR 40.1B. and F.

Dated March 22, 2011, in Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge