

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

Civil Case No. 09-cv-02167-REB-CBS

MARY DAMBMAN, KEVIN KREEGER, EDWARD SNYDER,

Plaintiffs,

v.

KAREN LONG, ADAMS COUNTY CLERK AND RECORDER, in her Official Capacity
only,

Defendant.

ORDER OF RECUSAL

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 (10th 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 (10th 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 (10th Cir. 1993) (citations omitted).

I have known defendant, Karen Long, and members of her immediate and

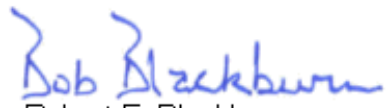
extended family for many years. Defendant and I attended high school together, and members of her family were strong supporters of my judicial appointments to both the state and federal bench. Accordingly, my impartiality might reasonably be questioned, and the appearance of impropriety may very well 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 September 11, 2009, in Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge