

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02203-MSK-MEH

NICHOLAS VALDEZ,

Petitioner,

v.

RICHARD SMELSER,
THE ATTORNEY GENERAL OF THE STATE OF COLORADO, and
JOHN W. SUTHERS,

Respondents.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on March 11, 2010.

Petitioner's Emergency Ex Parte Injunction Order [filed March 9, 2010; docket #24] is **granted in part** and **denied in part** as follows. The Court construes Petitioner's request in multiple parts, but arising from his belief that he has missed a court deadline in this matter. On January 28, 2010, this Court ordered briefing deadlines on Petitioner's "Motion to reconsider reinstating claims 1 and/or claims 2" [filed January 21, 2010; docket #14]. The Court received Respondents' Response on February 24, 2010, and Petitioner's Reply on March 2, 2010. (Dockets ##20, 23.) Thus, no further briefing is presently due on Petitioner's "Motion to reconsider reinstating claims 1 and/or claims 2."

However, briefing is now due on Petitioner's Habeas Application. On January 26, 2010, the District Court ordered Respondents to answer the application within forty-five days and gave leave to Petitioner to reply to Defendants' Answer within thirty days. (Docket #15.) Respondents filed their Answer on March 11, 2010. (Docket #26.) Thus, Petitioner may file a reply on or before **April 12, 2010**.

Insofar as Petitioner seeks to initiate a Section 1983 of 42 U.S.C. civil suit, Petitioner may not do so through this request. The Clerk of Court is directed to mail to Petitioner the *pro se* prisoner forms used to file an action. *See* D.C. Colo. LCivR 8.2.