

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 09-cv-02207-CMA-KLM

JOSE MEDINA ESCOBAR,

Plaintiff,

v.

WARDEN S. JONES,  
ASSOCIATE WARDEN B. ALLEN,  
MAJOR C. HOLDITCH,  
CAPTAIN K. FOSTER,  
CAPTAIN J. DALTON,  
LIEUTENANT MARTZ,  
LIEUTENANT CHAVEZ,  
SERGEANT A. LUNA,  
SERGEANT P. BINDER,  
SERGEANT J. WEST,  
SERGEANT HARDRICK,  
SERGEANT HUDSPETH,  
SERGEANT KELEMAN,  
C/O D. GALLAGHER,  
C/O BRYANT,  
C/O A. DALTON,  
C/O R. MARTINEZ,  
C/O V. PASARO,  
NURSE N. WALKER, and  
DOCTOR WRIGHT,

Defendants.

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**ORDER AFFIRMING JANUARY 10, 2011 ORDER OF UNITED STATES  
MAGISTRATE JUDGE**

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This case was referred to United States Magistrate Judge Kristen L. Mix pursuant to 28 U.S.C. § 636. On July 14, 2011, the Magistrate Judge issued a Minute Order

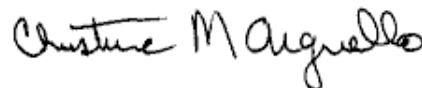
denying Plaintiff's Motion to Compel. (Doc. # 127.) Plaintiff filed objections on July 22, 2011. (Doc. # 131.)

Because Plaintiff's motion to compel is a nondispositive pretrial motion, Plaintiff must demonstrate that the Magistrate Judge's ruling was "clearly erroneous or . . . contrary to law." Fed. R. Civ. P. 72(a). This standard "requires that the reviewing court affirm unless it 'on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'" *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988) (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)).

Having reviewed the objections, the Court finds that the Magistrate Judge's Order was not clearly erroneous or contrary to law. Therefore, Plaintiff's objections (Doc. # 131) are OVERRULED and the Magistrate Judge's Order denying Plaintiff's Motion to Compel (Doc. # 127) is AFFIRMED.

DATED: August 01, 2011

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge