

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

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

JOSE MEDINA ESCOBAR,

Plaintiff,

v.

WARDEN S. JONES,  
DIRECTOR B. ZALMAN,  
ASSOCIATE WARDEN B. ALLEN,  
MAJOR HOLDITCH,  
CAPTAIN K. FOSTER,  
CAPTAIN J. DALTON,  
CAPTAIN LOGAN  
LIEUTENANT MARTZ,  
LIEUTENANT CHAVEZ,  
SERGEANT A. LUNA,  
SERGEANT BINDER,  
SERGEANT J. WEST,  
SERGEANT HARDRICK,  
SERGEANT VAN DYKE,  
SERGEANT HUDSPETH,  
SERGEANT KELEMAN  
C/O D. GALLAGHER,  
C/O BRYANT,  
C/O A. DALTON,  
C/O R. MARTINEZ,  
C/O PASARO,  
NURSE N. WALKER, and  
DOCTOR WRIGHT,  
HUERTAS,  
VAN VELDER,  
SERGEANT POOL,  
C/O KAISER,  
C/O GIORDANO,

Defendants.

---

**MINUTE ORDER**

---

**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on **Defendants' Motion for a Determination that No Response Is Required on Plaintiff's Complaint Filed on September 15, 2009, Document 3 and that Defendants Have Responded to Plaintiff's Amended Complaint, Document 29** [Docket No. 50; Filed April 29, 2010] (the "Motion").

Plaintiff filed his Complaint on September 15, 2009 [Docket No. 3]. The Court found that his Complaint did not comply with the requirements of Federal Rule of Civil Procedure 8(a) and directed Plaintiff to file an Amended Complaint or his Complaint would be dismissed [Docket No. 4]. Plaintiff filed an Amended Complaint [Docket No. 7] that the Court found to be deficient because it included extraneous documents but failed to include Defendants' addresses [Docket No. 8]. Plaintiff then filed a Second Amended Complaint [Docket No. 9], which was accepted by the Court. Plaintiff then requested leave to amend [Docket No. 21], which the Court granted [Docket No. 27]. Plaintiff's Third Amended Complaint was filed on February 9, 2010 [Docket No. 29]. Together, the Second and Third Amended Complaints are the operative pleadings, to which all served Defendants have filed Answers on February 24, 2010 and March 16, 2010 [Docket Nos. 42 & 45].

Given the number of amended complaints filed in this case, as well as the fact that there are several unexpired deadlines set forth in the Court's electronic case filing system, Defendants seek a ruling from the Court regarding the necessity to file any additional answers.

IT IS HEREBY **ORDERED** that the Motion is **GRANTED**. Defendants' Answers [## 42 & 45], which include responses from the newly-sued parties, are the operative responses to the operative pleadings. Defendants are not required to provide any

additional answers at this time.

IT IS FURTHER **ORDERED** that the Clerk shall terminate all answer deadlines on the Court's electronic case filing system.

Dated: May 3, 2010