

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

Civil Case No. 09-cv-02304-REB-BNB

LOREN J. RANDALL,

Plaintiff,

v.

THE COLORADO STATE PATROL,
THE ARAPAHOE COUNTY SHERIFF'S [sic] OFFICE, and
THE ARAPAHOE HOUSE,

Defendants.

ORDER DENYING MOTION TO REOPEN

Blackburn, J.

This matter is before me on the plaintiff's **Motion To Administratively Reopen and Resume Case Following Tolling Period for Active Federal Service, Pursuant to the Service Member's Civil Relief Act (50 U.S.C. 422 and Notice of Change of Address** [#15]¹ filed April 6, 2012. A duplicate of this motion is docketed as [#16]. I deny the motion [#15] and deny the duplicate motion [#16] as superfluous.

Previously, the plaintiff filed a motion asking that this case be closed administratively while he was deployed with the military. On June 29, 2011, I entered an order [#14] granting that motion. I closed this case administratively and ordered that "on or before January 20, 2012, the plaintiff may move to re-open this case on a showing of good cause to re-open." *Order* [#14], p. 3.

¹ "[#15]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

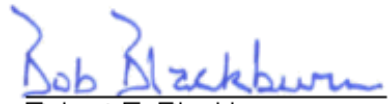
The plaintiff's present motion was filed more than two months after the deadline set in my June 29, 2011, order. Further, I note that on April 6, 2011, the same day the present motion was filed, the court sent mail to the plaintiff at his address of record. The address of record used by the court was the address provided by the plaintiff in his present motion. That mail was returned as undeliverable. *See returned mail* [#17]. This is further demonstration of the plaintiff's irregular and unreliable prosecution of this case. On these bases, I conclude that the plaintiff has not demonstrated good cause to re-open this case.

THEREFORE, IT IS ORDERED as follows:

1. That the plaintiff's **Motion To Administratively Reopen and Resume Case Following Tolling Period for Active Federal Service, Pursuant to the Service Member's Civil Relief Act (50 U.S.C. 422 and Notice of Change of Address** [#15] filed April 6, 2012, is **DENIED**;
2. That the duplicate of that motion, docketed as [#16], is **DENIED** as moot.

Dated March 14, 2013, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge