

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

Civil Case No. 09-cv-02802-REB-MEH

JEREMY C. MYERS,

Plaintiff,

v.

BRIAN KOOPMAN, Detective in the Loveland, Colorado Police department, in his official and individual capacity,

Defendant.

**ORDER DENYING MOTION FOR STATUS CONFERENCE
& STRIKING MOTION FOR SUMMARY JUDGMENT**

Blackburn, J.

This matter is before me on the following: (1) **Plaintiff's Motion To Set Status Conference Following Remand** [#271]¹ filed February 12, 2014; and (2) the **Defendant's Renewed Motion for Summary Judgment** [#273] filed February 12, 2014. The defendant filed a response [#272] to the motion for status conference. I deny the motion for status conference and strike the motion for summary judgment because it was not timely filed.

Following the remand [#269] of the Tenth Circuit, this court is tasked initially with reviewing the arguments of the defendant, Brian Koopman, concerning absolute and qualified immunity. Those arguments were asserted previously in Mr. Koopman's motion to dismiss [#128] and his motion for summary judgment [#230]. Nothing indicates the parties did not have an adequate opportunity to brief these issues in the context of those two motions. To facilitate consideration of the arguments concerning absolute and qualified immunity, I will reconsider the

¹ “[#271]” 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.

extant arguments of the parties.

The dispositive motions deadline expired on September 24, 2012. Nothing in the record demonstrates a need for further briefing on the dispositive motions filed previously in this case. Absent a demonstrated need for further briefing, the court will not extend the dispositive motions deadline or accept further untimely dispositive motions from the parties. On that basis, the **Defendant's Renewed Motion for Summary Judgment** [#273] filed February 12, 2014, respectfully is stricken because it was filed long after the expiration of the dispositive motions deadline.

Given these circumstances, there is no demonstrated need to conduct a status conference. The court will address in a written order the issues of absolute immunity and qualified immunity. Following that order, the court will set further proceedings, if necessary, including a Trial Preparation Conference and a trial.

THEREFORE, IT IS ORDERED as follows:

1. That the **Plaintiff's Motion To Set Status Conference Following Remand** [#271] filed February 12, 2014, is **DENIED**; and
2. That the **Defendant's Renewed Motion for Summary Judgment** [#273] filed February 12, 2014, respectfully is **STRICKEN** because it was filed long after the expiration of the dispositive motions deadline.

Dated February 13, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge