

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00951-MSK-MEH

DAVID JAMES CROSBY,

Plaintiff,

v.

MARGARET HEIL,
J.D. SCOLLARD,
CHRISTINE TYLER,
CHRISTINA MARQUEZ,
RICH LINS,
BURL MCCULLAR,
JAYLYNNE KOCH,
SAMUEL DUNLAP, and
CAPT. CRISTELLI,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on December 22, 2010.

Plaintiff's Motion for Protective Order [filed November 2, 2010; docket #40] is **denied**. In this motion, Plaintiff asks the Court to impose certain conditions on the Arrowhead Correctional Center and Kit Carson Correctional Center's mailrooms and to order an announcement at the Arrowhead Correctional Center. (*See* docket #40.) "The warrantless seizure of an inmate's mail does not violate the Fourth Amendment if justified by concerns of prison security." *Georgacarokos v. Wiley*, No. 07-cv-01712-MSK-MEH, 2010 WL 1291833, at *3 (D. Colo. Mar. 30, 2010) (unpublished) (citations omitted). Plaintiff cites no authority in support of his request, indicating that the alleged monitoring by Defendants of Plaintiff's mail is improper. Furthermore, without being a defendant or otherwise brought within the Court's jurisdiction by some legal process, the Court has no jurisdiction over the Arrowhead Correctional Center or Kit Carson Correctional Center in this matter and cannot order the Centers to act as Plaintiff requests. However, the Court does request counsel for Defendants to suggest to the Centers that Plaintiff's mail and the treatment of Plaintiff's identified witnesses be given appropriate consideration, in light of the allegations in Plaintiff's motion and in order to ensure due process and fair trial proceedings.