

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-CV-01850-REB-MJW

GERALD LEWIS, and
ALISON MAYNARD,

Plaintiffs,

v.

JOHN GLEASON, at. el.

Defendants.

ORDER OF RECUSAL

Michael J. Watanabe, U.S. Magistrate Judge

This matter comes before me *sua sponte*. Under 28 U.S.C. § 455(a), a judge “shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” The Tenth Circuit has explained that “disqualification is appropriate only where a reasonable person, were he to know all the circumstances, would harbor doubts about the judge’s impartiality.” In re McCarthey, 368 F.3d 1266, 1269 (10th Cir. 2004). A judge must recuse himself if sufficient factual grounds exist to cause a reasonable, objective person knowing all the relevant facts, to question the judge’s impartiality. United States v. Pearson, 203 F.3d 1243, 1277 (10th Cir. 2000). A judge should not, however, be disqualified for faithfully performing the duties of his office. Unfavorable judicial rulings do not in themselves call into question the impartiality of a judge. See Estate of Bishop v. Equinox Int’l Corp., 256 F.3d 1050, 1058 (10th Cir. 2002).

Here, I find that in the interest of justice and pursuant to 28 U.S.C. §455 the undersigned recuses himself for services in the above captioned matter because this court has close personal and professional relationships with many of Defendants that are listed as Defendants. The court directs that this case be returned to the Clerk of Court for reassignment by random draw.

Dated this 23rd day of March, 2011, in Denver, Colorado.

BY THE COURT

S/Michael J. Watanabe
Michael J. Watanabe
U.S. Magistrate Judge