

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 10-cv-01853-WYD-BNB

SANFORD B. SCHUPPER,

Plaintiff,

v.

ROBYN CAFASSO, in his individual and official capacity,  
WILLIAM EDIE, in his individual and official capacity,  
JEANIE SMITH, in her individual and official capacity,  
DAVID ZOOK, in his individual and official capacity,  
JOHN NEWSOME, in his individual and official capacity,  
DAN MAY, in his individual and official capacity,  
LINDA DIX, in her individual and official capacity,  
RAYMOND SANTISTEVAN, in his individual and official capacity,  
RONALD WILKINS, in his individual and official capacity,  
ANDREA WALTON, in her individual and official capacity,  
DEBBI PARR, in her individual and official capacity,  
JOHN RUSZCZYK in his individual and official capacity, and  
JOHN DOE, JANE DOES, DOES 1-X,

Defendants.

---

**ORDER**

---

This matter arises on the **Notice of Plaintiff’s Objection to Jurisdiction of Magistrate Judge and Request for Denovo Review and Rulings by US District Court Judge** [Doc. # 67, filed 11/30/2010] (the “Motion”). The Motion is DENIED.

The plaintiff “objects” to my jurisdiction over this case. He requests that (1) the court “refer no further matters in this action to the Magistrate Judge”; (2) the district judge “forthwith review *de novo* [] and set for hearing the matters of Plaintiff’s Motion for Temporary Restraining

Order/Preliminary Injunction and Plaintiff’s Motion for Appointment of Counsel”; and (3) the district judge “forthwith set a status conference in this matter.”

Under 28 U.S.C. § 636(b)(1)(A) and Fed.R.Civ.P. 72(a), a district judge may designate a magistrate judge to determine any pending pretrial matter with the exception of dispositive matters (including motions for injunctive relief and motions to dismiss). However, a district judge may refer dispositive matters to a magistrate judge for proposed findings of fact and recommendations. 28 U.S.C. § 636(b)(1)(B); Fed.R.Civ.P. 72(b); D.C.COLO.LCivR 72.1C3.

Pursuant to these authorities, the district judge has referred to me [Doc. #2] many nondispositive motions filed by the parties. The district judge has also referred for recommendation (1) two motions to dismiss filed by the defendants and (2) a motion for injunctive relief filed by the plaintiff.

The plaintiff “objects” to my jurisdiction because he has not consented to jurisdiction by a magistrate judge under D.C.COLO.LCivR 72.2. *Motion*, ¶ 1. Consent is not necessary to determine pending pretrial matters and issue recommendations on dispositive matters.

The plaintiff also objects to my jurisdiction over the case because I have not “promptly” ruled on his motions. *Motion*, ¶¶ 13-14. However, my jurisdiction is not dependent on the “promptness” of my rulings.

IT IS ORDERED that the Motion is DENIED.

Dated February 7, 2011.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge