

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02050-CMA-KLM

JOSE MEDINA ESCOBAR,

Plaintiff,

v.

MAJOR C. HOLDITCH,  
SERGEANT ROBERTS,  
SERGEANT HALSTEAD,  
SERGEANT P. BINDER,  
C/O CRIDER,  
C/O FERGUSON,  
C/O MARTIN,  
C/O COOPER,  
C/O K. VIALPONDO,  
C/O ARCHULETA,  
C/O A. LOMBARD,  
SERGEANT POOL, and  
LIEUTENANT T. CHAVEZ,  
DOCTOR J. WRIGHT, and  
NURSE PRACTITIONER K. BOYD,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Motion to Compel** [Docket No. 60; Filed July 28, 2011] (the "Motion"). As an initial matter, the Motion does not comply with Fed. R. Civ. P. 37(a)(1) and D.C.COLO.LCivR 37.1. On several occasions, the Court has instructed Plaintiff regarding his obligations when filing a motion to compel discovery. The Court has also warned Plaintiff many times that his failure to satisfy these obligations will result in summary denial of the motion. Most recently, the Court advised Plaintiff as follows in *Escobar v. Jones*, No. 09-cv-02207-CMA-KLM, Docket No. 129 at 2 (D. Colo. July 14, 2011) (unpublished decision) (Minute Order denying a motion to compel) (emphasis original):

[A]ny motion to compel must comply with all applicable rules, including that

it must certify that Plaintiff attempted to resolve the dispute with Defendants prior to seeking Court involvement pursuant to Fed. R. Civ. P. 37(a)(1) and must contain either a verbatim recitation of the discovery requests at issue or attach a copy of such requests pursuant to D.C.COLO.LCivR 37.1. **The failure to comply with any applicable rule will result in the Motion to Compel being summarily denied.**

Despite the Court's numerous admonishments, the instant Motion does not contain a certification that Plaintiff conferred with Defendants, and it does not set out the specific discovery requests at issue. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: August 8, 2011