

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

Civil Action No. 10-cv-02176-REB-BNB

AARON I. JORDAN,

Plaintiff,

v.

ADAMS COUNTY, and
S. FULLER, program coordinator,

Defendants.

Defendants.

ORDER

This matter is before me on the plaintiff 's letter [Doc. # 41, filed 9/12/2011] (the "Letter"). The Letter is addressed to me. The plaintiff does not certify that copies of the Letter were served on the other parties or their attorneys.

I previously explained to the plaintiff that the local rules of this Court prohibit ex parte communication with judicial officers:

In the absence of previous authorization, no attorney or party to any proceeding shall send letters, pleadings or other papers or copies directly to a judicial officer. Unless otherwise instructed, all matters to be called to a judicial officer's attention shall be submitted through the clerk, with copies served on all other parties or their attorneys.

Copies of papers filed in this court must be served on counsel for all other parties (or directly on any party acting *pro se*) in compliance with Fed. R. Civ. P. 5. Rule 5 provides that all pleadings filed after the original complaint and all written motions, notices, demands, or any

similar paper must be served on every party. Fed. R. Civ. P. 5(a). “If a party is represented by an attorney, service under this rule must be made on the attorney” Fed. R. Civ. P. 5(b). Service upon other parties may be by mail. Id. Proof that service has been made is provided by a certificate of service. Id. at 5(d). This certificate should be filed along with the original papers and should show the day and manner of service. Id.

In addition, “[a] request for a court order must be made by motion” which shall “state with particularity the grounds for seeking the order; and state the relief sought. . . . The rules governing captions and other matters of form in pleadings apply to motions and other papers.” Fed.R.Civ.P. 7(b).

The plaintiff has submitted the Letter, not a motion. He fails to specify the relief he is seeking or any grounds for relief. Accordingly,

IT IS ORDERED:

1. The Letter [Doc. # 41] is STRICKEN;
2. The plaintiff shall cease filing ex parte communications;
3. All papers shall be served on counsel for the defendants in accordance with Rule 5 and shall be accompanied by a proper Certificate of Service;
4. All future requests to the court shall be submitted in the form of a motion in compliance with Rule 7; and
5. Failure to comply with this order may result in the imposition of sanctions, including dismissal of the case.

Dated September 19, 2011.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge