

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

Civil Action No. 10-cv-03086-CMA-BNB

GODWIN ABIAKAM,

Plaintiff,

v.

QWEST CORPORATION,

Defendant.

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**ORDER**

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This matter is before me on an email (the “email”) sent directly to my chambers by the plaintiff on October 16, 2011[Doc. #32]. The email is improper for several reasons.

First, the email is an improper ex parte communication. Ex parte communications are prohibited by local rule of practice 77.2, D.C.COLO.LCivR, which provides:

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.

Second, there is no evidence that copies of the email were served on opposing counsel as required by Rules 5 (a) and (d), Fed. R. Civ. P.

Third, the email does not comply with the formatting requirements of Rule 7(b), Fed. R. Civ. P., and local rule 10.1, D.C.COLO.LCivR.

IT IS ORDERED:

- (1) The email is STRICKEN;

(2) The plaintiff shall cease sending communications directly to my chambers unless otherwise instructed by me;

(3) In the future all applications to the court must be submitted in the form of a motion and in compliance with the federal rules of procedure, local rules, and this order; and

(4) Failure to comply with this order may result in the imposition of sanctions, including dismissal of the case.

Dated October 17, 2011.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge