

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

Civil Action No. 11-cv-00575-CMA-BNB

HERMAN BARNES, JR.,

Plaintiff,

v.

ALLRED,

Defendant.

ORDER

This matter arises on a motion filed by the plaintiff [Doc. #28] (the “Motion”) which seeks “an injunction against the medical records office for the purpose of providing the plaintiff a copy of Doctor Wilson [sic] medical report” The Motion is STRICKEN.

I recently struck several papers [Doc. #27] filed by the plaintiff. In doing so, I stated:

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.

The plaintiff does not certify that he served a copy of the Motion on counsel for the defendant. Accordingly,

IT IS ORDERED:

(1) The Motion [Doc. # 28] is STRICKEN;

(2) 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; and

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

Dated August 11, 2011.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge