

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 11-cv-00918-LTB-MEH

EUGENE EDWARDS,

Plaintiff,

v.

ARISTEDES W. ZAVARAS, as Executive Director of DOC, in his individual and official capacities,

Defendant.

ORDER

Plaintiff has filed a Motion for Relief of Judgment (Doc 40). The Defendant has filed a response conceding that Plaintiff's objection to the recommendation of the Magistrate Judge (Doc 38) was timely pursuant to the prison mailbox rule. Accordingly, it is

ORDERED that Plaintiff's Motion for Relief of Judgment (Doc 40) is GRANTED and this Court's Order striking Plaintiff's objection (Doc 39) is VACATED.

IT IS FURTHER ORDERED that Defendant shall file any response to Plaintiff's objection **on or before January 5, 2012** and Plaintiff shall have **up to and including January 19, 2012** to file a reply.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: December 14, 2011