

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01372-CMA-KLM

ALEX OBANDO,

Plaintiff,

v.

ARISTEDES W. ZAVARAS, DOC Executive Director,
TOM CLEMENTS, DOC Executive Director,
SUSAN JONES, CSP Warden,
MICHELLE NYCZ, Classification Chairperson,
JAMES OLSON, Committee Chairperson,
DAN DENNIS, Committee Member, and
JOHN DOE, CSP Assistant Administrative Head,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion to Permit Discovery Pursuant to Fed. R. Civ. P. 56(f) in Response to Defendants' Motion for Summary Judgment** [Docket No. 45; Filed March 30, 2012] (the "Motion"). In the Motion, Plaintiff seeks discovery with respect to Defendant's Motion to Dismiss or Motion for Summary Judgment [#36], which, in part, seeks summary judgment on Plaintiff's claim based on failure to exhaust administrative remedies. However, on March 16, 2012, the Court denied without prejudice Defendant's Motion to Dismiss or Motion for Summary Judgment. *See Order* [#38] at 4. Thus, Plaintiff needs no longer file a Response to it. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#45] is **DENIED as moot**.

Dated: March 30, 2012