

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 11-cv-02050-PAB-KMT

MICHAEL KEITH TIVIS,

Plaintiff,

v.

MS. JOANN STOCK (PHYSICIAN ASSISTANT), in both her official and individual capacities,
MR. KEVIN MILYARD (WARDEN), in both his official and individual capacities, and
MS BEVERLY DOWIS (MEDICAL ADMINISTRATOR), in both her official and individual capacities,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

This matter is before the court on “Plaintiff’s Objection to the Court’s Denial for Enlargement of Time and Having Motion Denied as Moot.” (Doc. No. 86, filed Aug. 16, 2012.) After construing this document to be a motion for reconsideration, District Judge Philip A. Brimmer referred the same to this court to the extent that it can be construed to request an extension of time to comply with filing fee payment obligations. (*See* Order, Doc. No. 87, at 12.)

After Judge Brimmer’s Order was entered, Plaintiff filed his “Monthly Court Fee for Aug. 2012” (Doc. No. 89), pursuant to which he made a payment toward his filing fee in the amount of \$3.00 (Doc. No. 88). As such, it does not appear that Plaintiff’s incarceration at Denver Reception and Diagnostics Center (DRDC) has or will interfere with his ability to comply with his filing fee payment obligations. Therefore, Plaintiff’s Motion for Reconsideration (Doc. No. 86) is DENIED as moot. To the extent that Plaintiff’s continued incarceration at DRDC does interfere with his ability to comply with his filing fee obligations in the future, Plaintiff may file an appropriate motion for extension of time at that juncture.

Dated: September 5, 2012