

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

Civil Action No. 11-cv-02079-BNB

MARQUISE D. HARRIS,

Plaintiff,

v.

THE CITY & COUNTY OF DENVER,
MICHAEL B. HANCOCK, Mayor,
JOHN HICKENLOOPER, Governor,
GERALD WHITMAN, Chief,
DAVE FISHER, Division Chief,
CHARLES GARCIA, Safety Manager,
SCOTT SNOW, Director (victim/witness assistance),
MITCHELL R. MORRISSEY, District Attorney,
TIM TWINING, District Attorney,
STEVE SIEGEL, District Attorney,
RICHARD B. HARRIS, Detective,
MIKE MILLS, Director Crime Stoppers, and
DAVE BELOUE, Assistant Director (Crime Stoppers),

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

SEP -6 2011

GREGORY C. LANGHAM
CLERK

ORDER OF RECUSAL

Section 455(a), 28 U.S.C., requires that a judge disqualify or recuse himself where "his impartiality might reasonably be questioned." "In determining whether a judge should recuse under § 455(a), the issue is not whether the judge is impartial in fact, but rather, whether a reasonable man might question his impartiality under all circumstances." *Id.*; **Webbe v. McGhie Land Title Co.**, 549 F.2d 1358, 1361 (10th Cir. 1977).

After reviewing the case file, I conclude that I should recuse myself from further

service in this case. Accordingly,

IT IS ORDERED that "Plaintiff[s] Motion for Recusal" (Doc. #6) is granted, and I hereby recuse myself from any further service in this matter.

IT IS FURTHER ORDERED that the Clerk of the Court shall cause this case to be reassigned to another magistrate judge.

DATED September 6, 2011, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

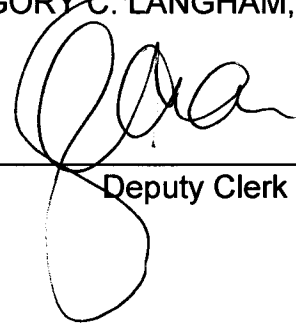
Civil Action No. 11-cv-02079-BNB

Marquise D Harris
PO Box 25727
Colorado Springs, CO 80936

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on September 6, 2011.

GREGORY C. LANGHAM, CLERK

By: _____

A handwritten signature in black ink, appearing to read 'G. Langham', is written over a horizontal line. The signature is stylized and cursive.

Deputy Clerk