

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02578-PAB-KLM

BRANDON BAKER, Rev.,

Plaintiff,

v.

THE STATE OF COLORADO, and  
JOHN SUTHERS, Attorney General,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Notice and Complaint of Clerk Error** [Docket No. 40; Filed January 9, 2012] (the "Motion"). In the Motion, Plaintiff asks the Court to strike Defendants' pending Motion to Dismiss [#23] and already-ruled-upon Motion to Accept Defendants' Motion to Dismiss Plaintiff's Amended Complaint in Excess of Page Limitation ("Motion to Accept") [#26]. Plaintiff further states that he will "motion the court to reconsider Plaintiff's motion for default judgment."

With respect to Plaintiff's first request, he argues that the Motion to Dismiss and Motion to Accept were "improper, excessive, void and untimely." See *Motion* [#40] at 2. Plaintiff makes conclusory allegations that Defendants violated numerous Orders and Practice Standards of the District Judge. Without more detailed information, the Court may not grant relief with respect to these alleged violations. Plaintiff does make two specific complaints, however. First, with respect to his conferral complaint, the Court notes that Defendants are not required to confer with Plaintiff on a motion made pursuant to Fed. R. Civ. P. 12, as is their Motion to Dismiss. See D.C.COLO.LCivR 7.1A. Second, Plaintiff avers that Defendants violated Rule III.F.2.a. of the District Judge's Practice Standards. However, he fails to state how Defendants violated that standard. Therefore, the Court may not grant relief with respect to these alleged violations, either. Consequently, the Court **DENIES** the request to strike the Motion to Dismiss and Motion to Accept.

With respect to the latter request, the District Judge issued an Order [#39] denying Plaintiff's Motion for Default Judgment on January 5, 2012. Plaintiff filed a Motion to Reconsider [#42] that Order the same day that he filed the present Motion [#40]. Because the Motion to Reconsider involves an Order of the District Judge and seeks the same relief as Plaintiff's request in this Motion, the Court **DENIES** the request here. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: January 11, 2012