

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03108-WJM-MEH

JOHN HUTCHINSON,

Plaintiff,

v.

SGT. HOULE, at Buena Vista Minimum Center,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on October 9, 2012.

Defendant's Motion to Stay Dispositive Motions Deadline or Alternatively for Extension of Time to File Motion for Summary Judgment [filed October 5, 2012; docket #40] is **granted in part and denied in part**. The Court finds the Defendant has failed to demonstrate sufficient cause to stay the dispositive motions deadline indefinitely. The pending recommendation suggests that the District Court grant in part and deny in part Defendant's motion to dismiss, and Defendant filed no objection to the recommendation; thus, Defendant is on notice that at least one of Plaintiff's claims is likely to proceed in this case. However, due to the current absence of the Plaintiff in these proceedings, the Court will grant Defendant's request for an extension of time, during which period the Plaintiff may provide the Defendant and the Court his current address.

For good cause shown, the Scheduling Order is amended as follows:

Dispositive motions deadline November 13, 2012

In addition, to allow the District Court sufficient time to consider any dispositive motion in this case, the Court will **vacate and reschedule** the Final Pretrial Conference from December 10, 2012 to **January 10, 2013 at 9:30 a.m.** in Courtroom A501 on the fifth floor of the Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado.

The parties shall submit their proposed pretrial order, pursuant to District of Colorado Electronic Case Filing ("ECF") Procedures V.L. **no later than five (5) business days** prior to the pretrial conference. The proposed pretrial order to be submitted to the Magistrate Judge under the ECF Procedures must be submitted in a useable format (i.e., WordPerfect or Word only) and shall be emailed to the Magistrate Judge at *Hegarty_Chambers@cod.uscourts.gov*.

Attorneys and/or pro se parties not participating in ECF shall submit their proposed pretrial

order on paper to the Clerk's Office. However, if any party in this case is participating in ECF, it is the responsibility of that party to submit the proposed pretrial order pursuant to the District of Colorado ECF Procedures.

The parties shall prepare the proposed pretrial order in accordance with the form which may be downloaded in richtext format from the forms section of the court's website at <http://www.cod.uscourts.gov/Forms.aspx>. Instructions for downloading in richtext format are posted in the forms section of the website.

All out-of-state counsel shall comply with D.C. Colo. LCivR 83.3C prior to the pretrial conference.

The parties are further advised that they shall not assume that the court will grant the relief requested in any motion. Failure to appear at a court-ordered conference or to comply with a court-ordered deadline which has not be vacated by court order may result in the imposition of sanctions.

Please remember that anyone seeking entry into the Alfred A. Arraj United States Courthouse will be required to show a valid photo identification. *See* D.C. Colo. LCivR 83.2B.