

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03416-WYD-KLM

MICHAEL M. SELLERS,

Plaintiff,

v.

KELLY SERVICES INC., and,
IBM CORPORATION,

Defendants.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE WILEY Y. DANIEL

THIS MATTER is before the Court on plaintiff, Michael M. Sellers's, Minute Order Unopposed Motion For Relief [ECF No. 53], filed on January 11, 2013.

On September 20, 2012, I issued an Order Affirming And Adopting Magistrate Judge's Recommendation [ECF No. 48]. In that Order, I affirmed and adopted Magistrate Judge Nix's recommendation and dismissed Sellers's Amended Complaint [ECF No. 7] without prejudice. The same day, the Clerk of Court's Office issued a judgment which dismissed this action without prejudice [ECF No. 49]. Both the September 20, 2012, Order [ECF No. 48] and the Clerk of Court's Judgment [ECF No. 49] were returned to the Court as "undeliverable" [ECF Nos. 50 & 51]. Sellers did not file a notice of change of address with the Court until January 11, 2013 [ECF No. 52], which was after the Court rendered judgment for the defendants. Because Sellers did not timely file a notice of change of address, and because this action was dismissed without prejudice on September 20, 2012, it is

ORDERED that Sellers's motion [ECF No. 53] is **DENIED AS MOOT**.

Dated: January 14, 2013.