

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Case No. 12-cv-00165-WJM

JANE DOE

Plaintiff,

v.

CATHOLIC HEALTH INITIATIVES COLORADO, a Colorado nonprofit corporation, d/b/a  
CENTURA HEALTH-PENROSE HOSPITAL,

Defendant.

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**ORDER OF RECUSAL**

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This matter is before Court *sua sponte*.

Section 455(a) of Title 28 of the United States Code states that “Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” A trial judge must recuse himself when there is an appearance of bias, regardless of whether there is actual bias. *Nichols v. Alley*, 71 F.3d 347, 350 (10th Cir. 1995). The test is whether a reasonable person, knowing all the relevant facts, would harbor doubts about the judge’s impartiality. *Hinman v. Rogers*, 831 F.2d 937, 939 (10th Cir. 1987).

The President and CEO of Defendant Catholic Health Initiatives Colorado and I have regular continuous dealings sufficient to be construed as an ongoing relationship. Based on this relationship, I find that a reasonable person would harbor doubts about my impartiality. As a result, recusal is required by 28 U.S.C. § 455(a), and I hereby recuse myself from this case. It is therefore

ORDERED that the Judge's file be returned to the Clerk's office for the case to be reassigned by random draw.

Dated this 23<sup>rd</sup> day of January, 2012.

BY THE COURT:



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William J. Martínez  
United States District Judge