

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe**

Civil Action No. 12-cv-00609-WYD-MJW

FTR - Courtroom A-502

Date: April 03, 2013

Courtroom Deputy, Ellen E. Miller

Parties

Counsel

JILL COIT,

Pro Se (by telephone)

Plaintiff(s),

v.

ARISTEDES ZAVARAZ [sic],
Director of the Colorado Department of Corrections,
JAMES WELTON, Director C.I.D.,
LARRY REID, L.V.C.F.,
ROBERT CANTWELL, Director of Prison,
LLOYD WAIDE, L.V.C.F.,
MICHAEL DOUSSARD, L.V.C.F., (Spelling),
C.I.D. DENNIS HOUGHNON, Pueblo,
C.I.D. COLIN CARSON, D.W.C.F.,
JOHN MARTIN,
JANE/JOHN DOE-DOE, #1&2 (Who Took Legal
Supreme Court Mail), D.W.C.F.,
JOAN SHOEMAKER,
Dr. P. FRANTZ,
JANE/JOHN DOE-DOE, #3 (Who Took 2 Cubic Feet
Legal Box), D.W.C.F.,

Nicole Gellar

Defendant(s).

COURTROOM MINUTES / MINUTE ORDER

HEARING: STATUS CONFERENCE / SHOW CAUSE HEARING

Court in Session: 9:30 a.m.

Court calls case. Appearances of *Pro Se* plaintiff and defense counsel.

The parties advise the Court that the tape recordings provided to Plaintiff by Defendants appeared to be defective, therefore, Plaintiff was unable to listen to the tapes.

It is ORDERED: On or before **MAY 17, 2013**, Defendants shall have the tapes transcribed and sent to Plaintiff.

The Order to Show Cause is raised for discussion

It is ORDERED: The Order to Show Cause [Docket No. **193**, filed March 11, 2013] is continued up to and including MAY 28, 2013 or as otherwise ordered by the Court.

It is ORDERED: A **SHOW CAUSE HEARING** is set **MAY 28, 2013 at 8:30 a.m.** Mountain Time (10:30 a.m. Eastern / Florida Time) in Courtroom A-502, Fifth floor, Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294. *Pro Se* incarcerated Plaintiff shall appear by telephone by calling (303) 844-2403 at the scheduled time.

The Court raises motions for discussion.

It is ORDERED: Consistent with the Court's Order [Docket No. 212, filed March 27, 2013] Defendants shall have up to and including **APRIL 29, 2013** within which to respond to Plaintiff's MOTION to Order the Florida Department of Corrections to Produce a Copy of the Letters from C. D. O. C. Denying Plaintiff recommended Specialist Consultant/Visit from Ortho and Audiology [Docket No. **184**, filed March 04, 2013]. No REPLY shall be filed unless ordered by the Court. The court will issue its written Order.

It is ORDERED: Consistent with the Court's Order [Docket No. 212, filed March 27, 2013] Defendants shall have up to and including **APRIL 29, 2013** within which to respond to Plaintiff's MOTION Injunction to Order the Florida Department of Corrections/Homestead Correctional Institution/Lowell Correctional Institution to Provide Plaintiff with Access to Rape Recorder and Disk so Plaintiff can Conduct Discovery/Depositions and Access Law Library/Programs/Services [Docket No. **187**, filed March 04, 2013]. No REPLY shall be filed unless ordered by the Court. The court will issue its written Order.

It is ORDERED: The Court will rule on Plaintiff's MOTION to enter "Motion for return of legal documents/letter I sent Judge Ebel" into this court's proceedings [Docket No. **185**, filed March 04, 2013] to which Defendants have filed a RESPONSE. No REPLY shall be filed unless ordered by the Court. The court will issue its written Order.

It is ORDERED: Plaintiff's MOTION TO NAME PARTY THAT IS HAVING EX PARTE (PRIVATE) COMMUNICATION WITH THIS COURT [Docket No. **186**, filed March 04, 2013] is **DENIED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION FOR COURT TO APPOINT EXPERT WITNESS FOR I.F.P. INDIGENT PLAINTIFF AND/OR TO CHANGE THE DATE PARTIES ARE TO DESIGNATE EXPERTS WITNESSES TILL PLAINTIFF HAS COUNSEL [Docket No. **190**, filed March 07, 2013] is **DENIED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION TO NAME PARTY THAT IS HAVING EX PARTE (PRIVATE) COMMUNICATION WITH THIS COURT [Docket No. **195**, filed March 15, 2013] is **DENIED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION TO MODIFY ORDER REGARDING PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL (DOC NO 35) [Docket No. **199**, filed March 18, 2013] is **DENIED as Moot** for reasons as set forth on the record. The relief requested was previously addressed by the Court in its Order [Docket No. 38] entered August 21, 2012.

It is ORDERED: Plaintiff's MOTION FOR PERMISSION TO TAPE RECORD DEPOSITIONS [Docket No. **202**, filed March 22, 2013] is **DENIED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION TO NOTIFY THIS COURT AND DEFENDANT THAT COPIER AND PRINTER ARE BROKEN ACCORDING TO HCI LAW LIBRARIAN MS. GREEN AND NEED FOR EXTENSION OF TIME [Docket No. **204**, filed March 22, 2013] is **DENIED** for reasons as set forth on the record.

It is ORDERED: Plaintiff's MOTION FOR COURT TO ORDER DEFENDANTS TO PROVIDE DISCOVERY OR FACE IMMEDIATE SANCTIONS [Docket No. **213**, filed March 28, 2013] is **DENIED without Prejudice** for reasons as set forth on the record.

Defense counsel displays to the Court a large manilla envelope, which was returned by the U.S. Postal Service as damaged, having been mishandled by the post office. It is believed the responses to Plaintiff's written discovery requests were involved. Defendants are directed to re-mail their responses to Plaintiff.

It is ORDERED: Plaintiff's MOTION TO HAVE U. S. MARSHALL [sic] SERVICE SERVE DEFENDANTS SGT. FITZGERALD AND SGT. HATFIELD (DWCF AND DRDC EMPLOYEES) [Docket No. **216**, filed March 29, 2013] is **GRANTED**, for reasons as set forth on the record, to the extent that the U.S. Marshal Service shall attempt to effect service on defendants Hatfield and Fitzgerald at the Colorado Department of Corrections in Colorado Springs, Colorado.

Addresses shall be provided for defendants who are no longer employed by Colorado Department of Corrections as was done in Docket No. 29, filed August 07, 2012.

It is ORDERED: Plaintiff's MOTION TO ORDER DEFENDANT TO RESPOND TO DOCKET NO. 99 [Docket No. **217**, filed March 29, 2013] is **DENIED as Moot**

It is ORDERED: Plaintiff's MOTION TO ORDER DEFENDANTS TO PROVIDE PLAINTIFF WITH DOCKET NO. 170 FILED FEBRUARY 9, 2013 AND 157 AND 158 FILED 1-18-13 [Docket No. **218**, filed March 29, 2013] is **GRANTED** for reasons as set forth on the record. Defendants shall mail copies of the CM/ECF Docket Entries 157, 158, 159, and 170.

Defense counsel notes that an apparent sample of bodily fluids was sent by the Plaintiff in an attempt to have the sample filed. Defendants request that they be allowed to have DNA testing performed on this item. Plaintiff gives her consent on the record and is directed to work with defense counsel to submit a written consent.

Hearing concluded.

Court in recess: 11:01 a.m.
Total In-Court Time 01:30

To order a transcript of this proceedings, contact Avery Wood Reports (303) 825-6119 or Toll Free 1-800-962-3345.