

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 12-cv-01015-WYD-KMT

WYATT T. HANDY, JR.,

Plaintiff,

v.

CITY OF SHERIDAN,  
DET. KRISTINE BRYANT, Individual & Official, and  
OFF. MIKE MONTOYA, Individual & Official,

Defendants.

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**MINUTE ORDER**

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**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

Plaintiff's "Motion for Subpoena" (Doc. No. 13, filed May 8, 2012) is DENIED. It appears that Plaintiff seeks to conduct discovery by serving subpoenas on Defendants or other non-parties. Pursuant to Fed. R. Civ. P. 26(a)(1)(B)(iv), *pro se* actions brought by individuals in the custody of the United States, a state, or a state subdivision are a category of proceedings "exempt from initial disclosure." Fed. R. Civ. P. 26(a)(1)(B)(iv). Additionally, the local rules of this court provide that a scheduling order and orders for discovery are unnecessary in categories of proceedings listed in Fed. R. Civ. P. 26(a)(1)(B). D.C.COLO.LCivR 16.2.B.2. The court declines to allow discovery prior to the entry of a scheduling order or discovery order. A preliminary scheduling conference will be set after Defendants have answered or otherwise responded to Plaintiff's Complaint.

Dated: May 8, 2012