

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE RAYMOND P. MOORE**

Courtroom Deputy: Cathy Pearson
Court Reporter: Tammy Hoffschildt

Date: January 6, 2015

CASE NO. 12-cv-01134-RM-KMT

HAZHAR A. SAYED,

Pro Se

Plaintiff,

v.

NORVA COURTNEY,

Christopher Alber

Defendant.

COURTROOM MINUTES

TRIAL PREPARATION CONFERENCE

COURT IN SESSION: 9:58 a.m.

Court calls case. Appearances of *pro se* Plaintiff and counsel for Defendant.

Discussion held regarding length of trial, trial procedures, and jury selection.

Plaintiff orally moves for a bench trial, withdrawing his request for a jury trial, and to strike Defendant's jury instructions.

Discussion held regarding the consent to the jurisdiction of a magistrate judge filed by Plaintiff (Doc. 114, filed 12/24/14), Writ of Habeas Corpus for Plaintiff for trial appearance, and pending motions.

The Court will issue a separate Order for Issuance of Writ of Habeas Corpus Ad Testificandum to Transport Plaintiff Hazhar A. Sayed for the jury trial without a written motion.

ORDERED: Plaintiff's Motion to Close Jury Trial (Doc. 110, filed 12/18/14) is DENIED as stated on the record.

ORDERED: Plaintiff's Motion for Court Order to Allow Mr. Sayed to Dress in Civilian Clothes for a Trial Preparation and Jury Trial (Doc. 111, filed 12/18/14) is

GRANTED as stated on the record. The institution where Plaintiff is being held shall bring him to the trial in civilian clothing.

ORDERED: Plaintiff's consent to the jurisdiction of a magistrate judge (Doc. 114, filed 12/24/14) is DENIED, as it is requesting to assign the case to a magistrate judge for determination of dispositive matters, including a trial.

Discussion held and argument given regarding Plaintiff's oral motion for bench trial. Defendant objects to the oral motion.

ORDERED: Plaintiff's oral motion for a bench trial and to strike Defendant's jury instructions is DENIED as stated on the record.

Discussion held regarding Plaintiff's inmate witnesses and whether the witnesses will be testifying in person or by video conference. The Court reserves ruling on this issue. Mr. Alber is directed to locate the witnesses and advise the Court.

The Court notes that Plaintiff has not filed proposed *voir dire*, jury instructions, exhibit list, or witness list.

Discussion held regarding obtaining volunteer counsel for Plaintiff. Ed Butler, the Legal Officer, addresses the Court regarding volunteer counsel.

ORDERED: Plaintiff shall file his proposed *voir dire*, jury instructions, exhibit list, and witness list on or before **January 20, 2015**. If an attorney enters an appearance on behalf of Plaintiff, he will not need to file the documents listed above with the Court.

COURT IN RECESS: 10:43 a.m.
Total in court time: 00:45
Hearing concluded