

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02602-PAB-MEH

BRUCE ERVIN,

Plaintiff,

v.

WILSON, D.C.,  
HEALTH SERVICES ADMINISTRATOR KELLER,  
LISA GREGORY, and  
Five John Does,

Defendants.

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**MINUTE ORDER**

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**Entered by Judge Philip A. Brimmer**

This matter is before the Court on plaintiff Bruce Ervin's Motion for Reconsideration Pursuant to Fed.R.Civ.P. 59(e) [Docket No. 42]. Plaintiff requests that the Court amend its May 24, 2013 Order [Docket No. 40] "to reflect the decision that the defendants be required to answer all the allegations set forth in the amended complaint and that Mr. Keller remain a defendant." Docket No. 42 at 2. Plaintiff seeks relief that he has already obtained: the Court's Order granted defendant Keller's motion to dismiss solely with respect to plaintiff's initial complaint and did not dismiss defendant Keller from the case. Rather, the Order accorded Mr. Ervin an opportunity to file an amended complaint, which he has done and which the Court has accepted. See Docket No. 39. Defendant Keller is obligated to respond to this complaint as he remains a party to this case. Wherefore, it is

**ORDERED** that plaintiff Bruce Ervin's Motion for Reconsideration Pursuant to Fed.R.Civ.P. 59(e) [Docket No. 42] is DENIED as moot.

DATED June 5, 2013.