

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02677-CMA-MEH

LARRY C. MILLER,

Plaintiff,

v.

CAPTAIN KASTELIC,  
DANIEL REIMER, and  
LT. RIDGWELL,

Defendants.

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MINUTE ORDER

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on January 7, 2014.**

The Plaintiff's Motion to Strike Previously Filed Response to Motion for Summary Judgment and Cross-Motion for Summary Judgment and Motion for Enlargement of Time to File Amended Response and Cross-Motion for Summary Judgment [filed January 2, 2014; docket #140] is **granted in part and denied in part**. Plaintiff states that his previously submitted response to Defendants' Motion for Summary Judgment and his Cross-Motion for Summary Judgment "lack both in their statements . . . and contain no sworn affidavits[.]"

The Court liberally construes Plaintiff's request as a motion to file a surreply. The Court will not strike Plaintiff's response, but will permit Plaintiff an opportunity to file a surreply, in which he may attach affidavits and clarify any statements made in his response. Plaintiff shall file the surreply on or before **January 21, 2014**. To the extent that the surreply contains new arguments and/or evidence, the Court will entertain a motion from the Defendants requesting leave to respond.