

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

Civil Action No. 12-cv-03249-MSK-KMT

DUSTIN SIMS,

Plaintiff,

v.

JOSHUA HAMMACK,

Defendant.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

Plaintiff has written several letters to the court, all of which have been docketed in this matter. (*See* Doc. Nos. 41, 42, 47, 50.) Plaintiff is advised that the court does not respond to letters or emails. Plaintiff is reminded that he is required to conform to the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Colorado. These rules require that parties to civil litigation file *motions* when they seek relief from the Court. Fed. Rule Civ. Pro. 7(b)(1) (“An application to the court for an order shall be by motion...”); D.C.COLO.LCivR. 7.1C.

Additionally, Plaintiff has filed letters addressed to Defendant’s counsel, Mr. Mott. (*See* Doc. No. 48 and 49, and 51.) These letters essentially are requests for discovery or other information. Correspondence and discovery requests between you and defense counsel should not be filed with the court. *See* Fed. R. Civ. P. 5(d). Therefore, these letters (Doc. No. 48, 49, and 51) are **STRICKEN**.

Plaintiff’s letters/motions (Doc. Nos. 41 and 42) requesting placement in a different facility are **DENIED**. To the extent Plaintiff seeks a temporary restraining order or preliminary injunction, Plaintiff has failed to address the factors required to grant such relief. *See Schrier v. Univ. of Colo.*, 427 F.3d 1253, 1258 (10th Cir. 2005). Moreover, the court declines to interfere in the day-to-day activities of prison administration.

Finally, Plaintiff's letter/motion to the court in which he seeks guidance regarding case law he has obtained (Doc. No. 50) is **DENIED**. As stated in the Preliminary Scheduling Conference, the court cannot give legal advice. Moreover, it appears the case law Plaintiff has obtained may appropriately be included in a response to either a motion to dismiss or a motion for summary judgment, neither of which has been filed at this time.

Dated: May 16, 2013