

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-3317-REB-KLM

JAMES FAIRCLOTH,

Plaintiff,

v.

CORRECTIONAL OFFICER MARQUEZ, in his individual capacity, and
LT. TOM BENEZE, in his individual capacity,

Defendants.

ORDER

Blackburn, J.

The matters before me are (1) plaintiff's **Motion for Court Docket To Be Sent to Plaintiff By Clerk** [#180],¹ filed April 11, 2016; and (2) plaintiff's **Motion for Declaration of Status of Case** [#181], filed April 11, 2016. As I have noted previously, plaintiff is still represented in this matter by counsel. (**See Order** [#179], filed April 11, 2016; **Order Denying Plaintiff's Motion To Alter, Amend & Vacate Judgment Pursuant to FRCP 59(e)** [#176], filed March 17, 2016.) A party may not file documents *pro se* when he is represented by counsel. **See *United States v. Nichols***, 374 F.3d 959, 964 n.2 (10th Cir. 2004) (citing ***United States v. Guadalupe***, 979 F.2d 790, 795 (10th Cir. 1992)), **reviewed on other grounds**, 125 S.Ct 1082 (2005)). These motions therefore will be stricken.

¹ "[#180]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.


Moreover, these motions suggest to the court that plaintiff's counsel has not fulfilled her continuing responsibilities to keep her client apprised of the status of this case. If this is in fact the case, any such lapse on counsel's part would constitute a serious breach of her ethical obligations to her client. Accordingly, counsel would be well-advised to act with utmost haste to rectify the present untenable state of affairs in this and all other cases in which she entered an appearance on plaintiff's behalf.

THEREFORE, IT IS ORDERED as follows:

1. That plaintiff's **Motion for Court Docket To Be Sent to Plaintiff By Clerk** [#180], filed April 11, 2016, is stricken; and
2. That plaintiff's **Motion for Declaration of Status of Case** [#181], filed April 11, 2016, is stricken.

Dated April 13, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge