

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00648-BNB

AUDREY LEE TENNYSON,

Plaintiff,

v.

MATTHEW CARPENTER, Chief of Unit Managers,
ROBERT SPARKS, Unit Manager,
"THE SUPERIORS," Identities Not Yet Known,
VANCE EVERETT, K.C.C.C. Warden,
KIT CARSON CORRECTIONAL CENTER,
TOM CLEMENTS, C.D.O.C. Executive Director, and
COLORADO DEPARTMENT OF CORRECTIONS,
Individually and In Their Official Capacities,

Defendants.

ORDER OVERRULING OBJECTION

This matter is before the Court on the objection titled "Objections/Motion for Reconsideration of Orders [sic] Dated 4/2/2013" filed *pro se* on April 17, 2013, by Plaintiff, Audrey Lee Tennyson. Mr. Tennyson objects to Magistrate Judge Boyd N. Boland's order of April 2, 2013 (ECF No. 10), directing him to file an amended prisoner complaint. Mr. Tennyson is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Kit Carson Correctional Center in Burlington, Colorado.

In the April 2 order, Magistrate Judge Boland explained how the prisoner complaint failed to comply with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure, and elaborated on how to file an amended complaint that would

comply. In his objection, Mr. Tennyson disagrees with Magistrate Judge Boland's suggestions.

Pursuant to 28 U.S.C. § 636(b)(1)(A) a judge may reconsider any pretrial matter designated to a magistrate judge to hear and determine where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law. The Court has reviewed the file and finds that Magistrate Judge Boland's order directing Mr. Tennyson to file an amended prisoner complaint is not clearly erroneous or contrary to law.

Accordingly, it is

ORDERED that the objection titled "Objections/Motion for Reconsideration of Orders [sic] Dated 4/2/2013" filed *pro se* on April 17, 2013, by Plaintiff, Audrey Lee Tennyson, is overruled. It is

FURTHER ORDERED that Mr. Tennyson will be allowed **thirty (30) days from the date of this order** in which to file an amended prisoner complaint that complies with the order of April 2, 2013. Failure to do so within the time allowed will result in the dismissal of the instant action.

DATED at Denver, Colorado, this 1st day of May, 2013.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, Senior Judge
United States District Court