

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 13-cv-02191-PAB-CBS
Date: January 23, 2014

FTR - Reporter Deck-Courtroom A402
Courtroom Deputy: Courtni Covington

Parties:

COREY BURGESS,

Plaintiff,

v.

CHARLES A. DANIELS, *et al.*,

Defendants.

Counsel:

Pro Se (appearing by telephone)

J. Benedict Garcia

COURTROOM MINUTES/MINUTE ORDER

HEARING: PRELIMINARY SCHEDULING CONFERENCE

Court in session: 10:03 a.m.

Court calls case. Appearance of counsel and *pro se* Plaintiff. Counsel for the Bureau of Prisons, Kara Lundy, also present by telephone.

The court addresses the parties regarding the purpose of the Preliminary Scheduling Conference and pleadings filed by Plaintiff in the case. Defense counsel advises that they do not plan to file a Response to Plaintiff's **Motion for Objection and Reconsideration** [Doc. No. 24].

Discussion between the court and Plaintiff regarding Defendant's **Motion for Leave to File Motion for Summary Judgment** [Doc. No. 30] and his **Motion for Opposition to Defendant's Motion to Dismiss/Leave to File Summary** [Doc. No. 35]. The court notes it wants to make clear to Plaintiff that Doc. No. 30 is not a Motion to Dismiss.

The court advises that it would be inefficient to go through the discovery process unless or until the currently pending motions are decided and it is determined if the case will remain here or be transferred. The parties are in agreement with the court. At the time it is determined that the case should move forward, the parties can discuss what discovery, if any, is necessary.

ORDERED: All discovery shall be **STAYED** pending further order from the court.

Discussion between the court and Mr. Burgess regarding documents the court has received, further clarification of Doc. No. 30, and the case being transferred to the District of Oklahoma.

Discussion between the court and Plaintiff regarding withdrawing *his Motion for Objection and Reconsideration* [Doc. No. 24].

ORDERED: Plaintiff's oral **Motion to Withdraw** Doc. No. 24 is **GRANTED**. *Motion*

for Objection and Reconsideration [Doc. No. 24, filed 11/04/2014] is
WITHDRAWN.

The court notes *Motion for Leave to File Motion for Summary Judgment* [Doc. No. 30] is left pending and advises Mr. Burgess that he will be sent a copy of the Courtroom Minutes from today's hearing.

HEARING CONCLUDED.

Court in recess: 10:39 a.m.

Total time in court: 00:36

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