

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-02664-REB-BNB

JOSHUA C. JOHNSON,

Plaintiff,

v.

GEORGE SANTINI,  
ALICIA VINYARD,  
T. K. COZZA RHODES, and  
PETER BLUDWORTH,

Defendants.

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**ORDER**

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This matter arises on the following:

- (1) **Defendants' Motion for Summary Judgment** [Doc. #27, filed 04/30/2014]; and
- (2) **Plaintiff's Motion for an Extension of Time and Assistance with Obtaining his Medical Records** [Doc. #41, filed 08/21/2014].

The Defendants' Motion for Summary Judgment is DENIED WITHOUT PREJUDICE, and the plaintiff's Motion for Extension of Time is DENIED AS MOOT.

The plaintiff filed his First Amended Prisoner Complaint on November 22, 2013 (the "Complaint"). He asserts three claims for deliberate indifference to his medical needs. The defendants waived service, and their response to the Complaint was due on February 6, 2014. *Order Issued February 24, 2014* [Doc. #17]. The defendants did not file a response on or before February 6, 2014. On February 24, 2014, I ordered the defendants to file a responsive pleading on or before March 3, 2014. On March 5, 2014, I granted the defendants an extension of time

until March 31, 2014 to answer or otherwise respond to the Complaint. On March 30, 2014, the defendants filed their motion for summary judgment which challenges the plaintiff's claims on the merits. The defendants have not filed an answer.

On August 21 and 28, 2014, the plaintiff requested an extension of time to respond to the summary judgment motion because he does not possess all of the documents necessary to respond to the motion.

IT IS ORDERED:

(1) Defendants' Motion for Summary Judgment [Doc. #27] is DENIED WITHOUT PREJUDICE;

(2) Plaintiff's Motion for an Extension of Time and Assistance with Obtaining his Medical Records [Doc. #41] is DENIED AS MOOT;

(3) The defendants shall file an answer to the Complaint on or before **September 11, 2014**;

(4) A preliminary Scheduling Conference is set for **September 29, 2014**, at 10:00 a.m., in Courtroom A-401, Fourth Floor, Alfred A. Arraj Courthouse, 901 19th Street, Denver, Colorado. The parties need not comply with the requirements of Fed. R. Civ. P. 16 and D.C. COLO.LCivR 16.2. The purpose of the initial conference is to consider the nature and status of the case; the timing for filing of any motions; and what discovery, if any, will be needed. The plaintiff and his case manager shall contact the court at (303) 844-6408 at the designated date and time in order to participate;

(5) The Clerk of the Court is directed to serve a copy of this Order by United States mail, first class postage prepaid, to:

CASE MANAGER FOR JOSHUA C. JOHNSON, #16158-006

SPRINGFIELD MEDICAL CENTER/FEDERAL PRISONERS  
P. O. BOX 4000  
SPRINGFIELD, MO 65801

Dated September 2, 2014.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge