

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

Civil Action No. 13-cv-02694-RM-BNB

KIMLEY-HORN AND ASSOCIATES, INC.,

Plaintiff,

v.

BIGHORN LAND SURVEYORS, INC., d/b/a San Juan Surveying,

Defendant.

ORDER

Section 455(a), 28 U.S.C., requires that a judge disqualify or recuse himself where “his impartiality might reasonably be questioned.” The provision is self-enforcing on the part of the judge. United States v. Pearson, 203 F.3d 1243, 1276 (10th Cir. 2000). Disqualification is appropriate “not only where there is actual or apparent bias or prejudice, but also when the circumstances are such that the judge’s impartiality might be reasonably questioned.” United States v. Ritter, 540 F.2d 459, 462 (10th Cir. 1976)(internal quotation and citation omitted).

After reviewing the case file, I conclude that I should recuse myself from further service in this case.

IT IS ORDERED:

- (1) I recuse myself from further service in this matter; and
- (2) The Clerk of the Court shall cause this case to be reassigned to another magistrate judge.

Dated October 18, 2013.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge