

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-03515-BNB

DELMART "E.J.M" VREELAND, II,

Plaintiff,

v.

CELIA SCHWARTZ, Legal Assistant II,
LIEUTENANT S. MORGAN, BVCF/North Unit,
SERGEANT G. WOOD, BVCF/North Unit,
CASE MANAGER J. HANSEN, BVCF/North Unit,
D. COTTEN, Administrative Services Manager,
W. BRUNELL, Associate Warden,
J. DAVIS, Warden, and
RICHARD RAEMISCH, Executive Director,

Defendants.

ORDER OVERRULING OBJECTION

This matter at issue is the "Objection to February 18th, 2014 Order, Motion to Reconsider and Motion of Time in Which to File Amendment," ECF No. 10, that Mr. Vreeland, a State of Colorado prisoner filed with the Court on February 28, 2014. Mr. Vreeland objects to the February 18, 2014 Order entered by Magistrate Judge Boyd N. Boland. Specifically, Mr. Vreeland challenges Magistrate Judge Boland's directive that he file an Amended Complaint that adheres to the federal rules regarding joinder of parties and claims.

The Court construes the Motion liberally as an Objection filed pursuant to 28 U.S.C. § 636(b)(1)(A). Under § 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.

After review, I find Mr. Vreeland's arguments lack merit. Magistrate Judge Boland's February 18, 2014 Order neither is clearly erroneous nor contrary to law. Mr. Vreeland's liberally construed Objection, therefore, will be overruled. Mr. Vreeland is instructed to comply with the February 18 Order. Accordingly, it is

ORDERED that Mr. Vreeland's Objection and Motion to Reconsider, ECF No. 10, is construed liberally as an Objection filed pursuant to 28 U.S.C. § 636(b)(1)(A) and is overruled. It is

FURTHER ORDERED that Mr. Vreeland's Motion for Extension of Time in Which to File Amendment, ECF No. 10, is granted. Mr. Vreeland shall have thirty days from the date of this Order to file an Amended Complaint that complies with the February 18, 2014 Order. It is

FURTHER ORDERED that if Mr. Vreeland fails to comply with the February 18, 2014 Order the Court will address the misjoinder of parties and claims pursuant to Fed R. Civ. P. 21.

DATED at Denver, Colorado, this 4th day of March, 2014.

BY THE COURT:

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