

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

Civil Action No. 14-cv-00032-WJM-BNB

D BROWN,

Plaintiff,

v.

DEPUTY JEFF WILSON,
DETECTIVE JARED DENNIS,
DEPUTY CORNELL,
SHERIFF JOHN MINOR, and
OTHER DEPUTIES UNKNOWN NAMES TO ENTER AT A LATER DATE,

Defendants.

ORDER

This matter arises on the following motions (the “Motions”) filed by the plaintiff:

(1) **Motion for Extension of Time to File a Response to Dismissing Jeff Wilson for Lack of Service** [Doc. #51, filed 04/15/2014];

(2) **Motion for Extension of Time to Give Proper Service to Jeff Wilson** [Doc. #52, filed 04/15/2014]; and

(3) **Motion for Marshal Service to Give Proper Service to Defendant Jeff Wilson** [Doc. #57, filed 04/23/2014].

On April 1, 2014, I ordered the plaintiff to show cause [Doc. #47] on or before April 14, 2014, why the Amended Complaint should not be dismissed as to defendant Wilson for failure to prosecute because the United States Marshal was unable to serve Wilson at the address provided by the plaintiff. The plaintiff seeks an extension of time to respond to the order to show cause

because she “was not given notice of the [order to show cause] until Friday April 11, 2014, when talking with a potential Pro Bono attorney who kindly forwarded the information.”¹ She also states that she did not receive the defendants’ motion to dismiss, and she “believes” the reason is because “there has been some confusion mailing to LOLO instead of C/O L.L.” To the contrary, both the order to show cause and the motion to dismiss were mailed to the plaintiff at her address of record. The plaintiff is responsible for providing the court and the defendants with a current address at which she may timely receive correspondence.

The plaintiff’s incredible excuse for an extension of time notwithstanding, her motion for extension is granted. On April 23, 2014, she provided a home address for service on Jeff Wilson.

IT IS ORDERED:

- (1) The motions for extension of time [Docs. ##51 and 52] are GRANTED;
- (2) The motion for service [Doc. #57] is GRANTED;
- (3) The United States Marshal is directed to serve defendant Jeff Wilson at 410 Brian Ave., Silverthorne, CO;
- (4) If the Marshal is unable to effect service on Mr. Wilson at the address provided by the plaintiff, I will recommend that the claims against him be dismissed without prejudice; and
- (5) The plaintiff shall cease filing redundant papers.

¹The motions for extension of time are substantively identical. The plaintiff shall cease filing redundant papers.

Dated April 30, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge