

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01296-KLM

KENNETH A. MORRIS,

Plaintiff,

v.

D. BERKEBILE, Florence ADX Warden,  
CORDOVA, Assistant Medical Administrator,  
HALL, Associate Warden, and  
ALLRED, Clinical Director Doctor,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Motion to Correct the Record** [#20] (which the Court construes as a "Motion to Clarify") and on Plaintiff's **Motion to Reconsider** [#22]. In the Motion to Clarify [#20], Plaintiff notes that Senior Judge Babcock in the Order to Draw in Part and to Dismiss in Part [#16] at 3, stated that Plaintiff sought injunctive relief for his four causes of action. Plaintiff wishes to clarify that he also seeks damages in connection with his third and fourth claims. See *Second Am. Compl.* [#15] at 15. Because the third and fourth claims were not dismissed in whole or in part by Senior Judge Babcock before the reassignment of the case to the undersigned, and because the Second Amended Complaint clearly states that Plaintiff is seeking both injunctive and monetary relief in connection with those claims, the Court assures Plaintiff that the mention of only injunctive relief in Senior Judge Babcock's Order to Draw in Part and to Dismiss in Part [#16] in no way infringes on Plaintiff's rights and claims in this lawsuit. Accordingly,

IT IS HEREBY **ORDERED** that the Motion to Clarify [#20] is **GRANTED** to the extent outlined above.

In the Motion to Reconsider [#22], Plaintiff seeks a reconsideration of Senior Judge Babcock's Order to Draw in Part and to Dismiss in Part [#20]. Given the dispositive nature of Plaintiff's request, the Court may not rule on the Motion to Reconsider until a Consent Form is filed in this case. Accordingly,

IT IS HEREBY **ORDERED** that, **on or before October 14, 2014**, the parties shall file the Consent Form Pursuant to Pilot Program to Implement the Direct Assignment of Civil Cases to Full Time Magistrate Judges, indicating whether all parties **do** or **do not** consent to have a United States magistrate judge conduct all proceedings in this civil action, including trial, and to order the entry of a final judgment. The Consent Form and further information is provided to the parties as an attachment to this Minute Order.

Dated: September 12, 2014