

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 14-cv-01565-RPM

MARK STEPHEN ELLIS,

Petitioner,

v.

RICK RAEMISCH, Executive Director, Colorado Department of Corrections, and
CYNTHIA COFFMAN, Attorney General, State of Colorado,

Respondents.

ORDER CLARIFYING JUDGMENT

In the Judgment entered on December 12, 2014, this Court ordered that "The State of Colorado shall initiate new criminal proceedings against Mark Stephen Ellis within 90 days, failing in which he shall be released from custody."

The Respondents filed a Motion to Clarify [Doc. 31] and the Petitioner also filed a Motion to Clarify Order and Judgment [Doc. 35]. The parties have correctly shown an ambiguity in the judgment. Accordingly, it is now

ORDERED that the judgment is to be amended to provide that the State of Colorado must re-try Mark Stephen Ellis on the charges upon which he was convicted within 90 days from the entry of the amended judgment, failing in which he shall be released from custody on those convictions, which have been vacated by this Court, and upon which no further proceedings shall be pursued.

DATED: February 25th, 2015

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge