

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02323-CMA-MJW

DAWANE ARTHUR MALLETT,

Plaintiff,

v.

J. MUNOZ, *Correctional Officer*,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion to Substitute the Defendant Pursuant to Fed. R. Civ. Procedure 25(a)(1) and Motion for Voluntary Dismissal (**Docket No. 41**) is **DENIED**. Plaintiff has no authority to appoint a representative for the estate of Defendant and, moreover, Defendant denies being dead.

It is further ORDERED that Plaintiff's Motion to Request for Discoverable Items Pursuant to Fed. R. Civ. Procedure Rule 26(a)(1) and in Compliance with Court Order (**Docket No. 42**) is **DENIED**. Plaintiff makes no showing that any discovery request has been served on Defendant, nor that Defendant has refused to provide properly requested discovery.

Date: March 4, 2015
