

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

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

DAWANE ARTHUR MALLETT,

Plaintiff,

v.

J. MUNOZ, Correctional Officer,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION TO SET ASIDE A JUDGMENT

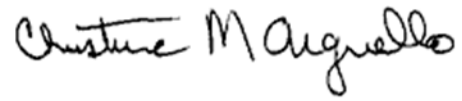
This matter is before the Court on the Plaintiff's Motion to Set Aside a Void Judgment Pursuant to Fed. Rule of Civ. Procedure Rule 60(b)(4) and Supporting 1 Page Exhibit Pursuant to Rule 10(c). (Doc. # 61.)

On May 27, 2015, this Court entered final judgment against Plaintiff and also imposed sanctions pursuant to Fed. R. Civ. P. 11. (Doc. # 60.) Plaintiff now moves to set aside the judgment as void, claiming this Court lacked personal jurisdiction over Plaintiff. (Doc. # 61 at 2.) Plaintiff's argument is without merit because he fails to understand that filing suit constitutes consent to a district court's exercise of personal jurisdiction. See *Rollins v. Inbersoll-rand co.*, 240 F. App'x 800, 802 (10th Cir. 2007). It is far beyond dispute that Plaintiff filed suit against Defendant in this Court. (Doc. # 1.)

Accordingly, it is hereby ORDERED that Plaintiff's Motion to Set Aside a Void Judgment Pursuant to Fed. Rule of Civ. Procedure Rule 60(b)(4) and Supporting 1 Page Exhibit Pursuant to Rule 10(c) (Doc. # 61) is DENIED.

DATED: January 13, 2016

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a prominent initial "C" and a long, sweeping underline.

CHRISTINE M. ARGUELLO
United States District Judge