

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02399-RM-KLM

MICHAEL ANGELO MARTINEZ,

Plaintiff,

v.

HEALTH CARE PARTNERS FOUNDATION, INC.,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff[']s First Request for Production of Documents** [#54]¹ (the "Requests for Production") and on the **Declaration of Michael A. Martinez** [#56] (the "Declaration").

The Requests for Production were docketed by the Clerk of the Court as a motion and referred to the undersigned for disposition [#55]. However, the Requests for Production do not request relief from the Court. Instead, the Request for Production are discovery requests directed to Defendant. *Requests for Production* [#54] at 1. Therefore, to the extent the Requests for Production were docketed as a motion and require a ruling from the Court, the Court will deny the Requests for Production.

The Declaration is a sworn statement made by Plaintiff regarding the facts of this case. However, the Declaration was not filed as an exhibit to a motion or in support of a motion. Instead, it was filed as a stand-alone document. It is unclear why this document was filed at this time, particularly given that Plaintiff's Amended Complaint [#52] was accepted for filing on August 11, 2015. Accordingly, the Court will strike the Declaration. If Plaintiff files a motion or response to a motion that relies on facts and exhibits, he may file a declaration as an exhibit at that time.

For these reasons,

¹ "[#54]" is an example of the convention I use to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). I use this convention throughout this Minute Order.

IT IS HEREBY **ORDERED** that the Requests for Production [#54] are **DENIED**.²

IT IS FURTHER **ORDERED** that the Declaration [#56] is **STRICKEN**.

Dated: August 18, 2015

² The Court may rule on a pending motion at any time. D.C.COLO.LCivR 7.1(d).