

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02804-MSK-KLM

ARTHUR SANCHEZ,

Plaintiff,

v.

JOHN H. BAUER, Detective, 97032,
JOHN G. ROBLEDO, Detective, 05122, and
NICHOLAS E. ROGERS, Detective, 86037,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion for Default Judgment** [#35] and on Plaintiff's **Motion for an Extension of Time** [#39].

IT IS HEREBY **ORDERED** that the Motion for Default Judgment [#35] is **DENIED as moot**, as the Clerk of Court noted on March 4, 2015 that default would not be entered against Defendants John H. Bauer, John G. Robledo, and Nicholas E. Rogers because a responsive pleading had already been filed by them. See [#36].

IT IS FURTHER **ORDERED** that the Motion for an Extension of Time [#39] is **GRANTED in part and DENIED in part**. The Motion is **granted** to the extent that Plaintiff shall file a Response to the Motion to Dismiss [#32] **on or before April 8, 2015**. The Motion is **denied** to the extent Plaintiff seeks sanctions against opposing counsel. Defendants' deadline to answer or otherwise respond to the Amended Complaint was February 23, 2015. The Motion to Dismiss [#32] was timely filed electronically on Friday, February 23, 2015. Because of the weekend, the document was not postmarked to Plaintiff until Monday, February 26, 2015, the next business day. The Court therefore finds no evidence that Defendants "blatantly lied to this Honorable Court knowingly [and] intelligently with malicious intent" regarding the timing of the filing and mailing of this document. The Court further finds that Plaintiff has suffered no prejudice with respect to the brief delay in his receiving a copy of Defendants' filing, as the Court has granted Plaintiff's request for an extension of time in which to file a Response to the Motion to Dismiss.

Dated: March 16, 2015