

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Michael E. Hegarty**

Civil Action No: 1:14-cv-03291-WYD-MEH Date: January 7, 2016  
Courtroom Deputy: Molly Davenport FTR: Courtroom A 501

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Parties:

Counsel:

WYATT T. HANDY, JR.

Pro se

Plaintiffs,

v.

PATRICIA GUERRERO-DIAZ  
KELLY LEHMAN  
SAHIB BROWN

Ann Smith

Defendant.

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**COURTROOM MINUTES  
MOTION HEARING**

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**10:33 a.m. Court in session.**

Court calls case. Pro se plaintiff and counsel for the defendant appeared by telephone.

[96] Second Motion to Compel Discovery by Plaintiff is GRANTED IN PART AND DENIED IN PART as follows:

Following discussion regarding Request for Production #7 and Request for Production #8 (documents related to Arrowhead Correctional Center) IT IS ORDERED that the motion is denied; the plaintiff can obtain these documents by issuance of a subpoena.

Following discussion regarding Request for Production #11 (all grievances against defendants) IT IS ORDERED THAT counsel for the defendant will determine what type of system is used for filing grievances and will send a letter to the court and the plaintiff regarding same. The court will issue an additional order at that time regarding grievances which object to (1) use of religion in the sessions or material and (2) mandatory participation in the counseling program.

Following discussion regarding Request for Production #15 (plaintiff's chronological log) IT IS ORDERED that counsel for the defendant will request an unredacted copy (for the requested dates) of this document from CDOC. If CDOC does not produce this document, the plaintiff can request it by issuance of a subpoena.

Following discussion regarding Interrogatory #4 (whether there are “management and operational problems at CMRC”) IT IS ORDERED that the use of the term “problems” is overbroad thus making this interrogatory vague.

Following discussion regarding Interrogatory #12 (why inmates do not receive achievement earned time for completing the PPC program) IT IS ORDERED that the request to compel a response is DENIED.

Following discussion regarding Interrogatory #23 (if offenders are being placed in the PPC program involuntarily) IT IS ORDERED that the defendant is to respond based on personal knowledge whether or not the defendant knows if the parties are in the program involuntarily or not.

Following discussion regarding Interrogatory #25 (what religion is the defendant Brown) IT IS ORDERED that if the defendant has identified with any religion in any document in the control of CDOC, counsel is to produce that document.

**11:37 a.m. Court in recess.** Hearing concluded.  
Total in-court time 01:04

\*To obtain a transcript of this proceeding, please contact Stevens-Koenig Reporting at (303) 988-8470.