

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-03377-KLM

DARLENE GRIFFITH,

Plaintiff,

v.

STATE OF COLORADO,

RICK RAEMISH, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

ROGER WERHOLTZ, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

TONY CAROCHI, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

TOM CLEMENTS by the through his estate, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

ARISTEDES ZAVARIS, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

JOE ORTIZ, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

JOHN SUTHERS, in his individual capacity and in his official capacity as executive director of the Colorado Department of Corrections,

Defendants.

MINUTE ORDER

ENTERED BY KRISTEN L. MIX, UNITED STATES MAGISTRATE JUDGE.

This matter is before the Court on Plaintiff's **Motion to Withdraw Case [#24]**¹ (the "Motion"). The Motion states:

Plaintiff wishes to withdraw this case untill [sic] the case with David Lane is finished with this court. It is the same case, involving the same person(s)[.] Plaintiff has asked Mr. Lane several times to be in the class action but has

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

been denied. Plaintiff wishes to withdraw this case until [sic] the case is completed with Mr. Lane.

Motion [#24] at 1. It is unclear to the Court whether Plaintiff wishes to voluntarily dismiss this case without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) or wishes to administratively close this case pursuant to D.C.COLO.LCivR 41.2. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#24] is **DENIED without prejudice**. Plaintiff may file a new motion clarifying whether she wishes to dismiss the case pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) or administratively close this case pursuant to D.C.COLO.LCivR 41.2.

Dated: March 16, 2015