

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02774-GPG

LINDSAY T. HARDING,

Applicant,

v.

RICHARD F. RAEMISCH; and
CYNTHIA COFFMAN, Attorney General of the State of Colorado,

Respondents.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE GORDON P. GALLAGHER

On February 29, 2016, Applicant filed a "Declaration and Motion to Strike Respondents' Pre-Answer Pursuant to Fed. R. Civ. P. 6(a)(1) and Rule 12(f)" (ECF No. 12). Mr. Harding states in the Motion that if the Respondents filed a timely Pre-Answer response, he did not receive it, and urges the Court to strike any Pre-Answer Response filed after the court-imposed deadline. Respondents filed a Pre-Answer Response on February 12, 2016. (ECF No. 11). The Certificate of Service attached to the document indicates that a copy was mailed to Applicant at the Buena Vista Correctional Facility on February 12, 2016. (*Id.* at 18). It is unclear why Applicant did not receive it.

The "Motion to Strike Respondents' Pre-Answer Pursuant to Fed. R. Civ. P. 6(a)(1) and Rule 12(f)" (ECF No. 12) is DENIED.

Respondents shall resend to Applicant a copy of the Pre-Answer Response within 5 days. Applicant shall have **until March 28, 2016** to file a Reply.

Dated: March 2, 2016
