

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 16-cv-00197-GPG

ERNIE LEE CALBART,

Plaintiff,

v.

ZIMMER, INC.,
ZIMMER HOLDINGS, INC., and
ZIMMER ORTHOPEDIC SURGICAL PRODUCTS, INC.

Defendants.

ORDER CLOSING CASE

Plaintiff, Ernie Lee Calbart, is in the custody of the Colorado Department of Corrections at the Correctional Facility in Sterling, Colorado. Mr. Calbart initiated this action on January 26, 2015, by filing a Prisoner Complaint. (ECF No. 1). Attached as an exhibit to the Complaint is a January 11, 2015 Order issued by the United States District Court for the Northern District of Illinois transferring a similar action filed by Plaintiff in that Court to the District of Colorado. (ECF No. 1-2). Upon receipt of the Prisoner Complaint, and the attached transfer order, the Clerk of the Court opened this civil action.

On January 27, 2015, the Clerk of the Court opened *Ernie Lee Calbart v. Zimmer, Inc., et al.*, Case No. 16-cv-00210-GPG, with the January 11, 2016 transfer order from the Northern District of Illinois, along with the Complaint and motion for leave to proceed *in forma pauperis* filed in that action. (ECF Nos. 1, 3 and 4).

Because Civil Action Nos. 16-cv-00197-GPG and 16-cv-00210-GPG are the same, the Court will close this case. Accordingly, it is

ORDERED that the Prisoner Complaint (ECF No. 1) shall be transferred to Civil Action No. 16-cv-00210-GPG. It is

FURTHER ORDERED that Order Directing Plaintiff to Cure Deficiency (ECF No. 3) is VACATED. It is

FURTHER ORDERED that this case is CLOSED.

DATED January 29, 2016, at Denver, Colorado.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, Senior Judge
United States District Court