

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore**

Civil Action No. 16-cv-01223-RM-NYW

THOMAS R. ANTHONY,

Plaintiff,

vs.

CITY AND COUNTY OF DENVER, a Colorado home rule municipality, and  
ANTHONY SANDOVAL, Denver Zoning Department Technician, in his official capacity,

Defendants.

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**ORDER**

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This matter is before the Court *sua sponte*. Plaintiff appears pro se, so the Court construes his filings liberally. Nonetheless, Plaintiff must follow the same procedural rules as other litigants. Here, even a cursory review shows issues with Plaintiff's "Answer" (ECF No. 249) and Separate Statement of Additional Material Facts (ECF No. 250-1).

First, it appears Plaintiff is improperly using many footnotes to make arguments in order to circumvent the page limitations. The Court will not consider such arguments in footnotes.

Second, at least one footnote (footnote 4) (ECF No. 249, p. 4) appears to be a conditional request for additional time to obtain evidence. Such a request may not be made in a footnote or a response brief. *See* D.C.COLO.LCivR 7.1(d) ("A motion shall not be included in a response or reply to the original motion. A motion shall be filed as a separate document."). Plaintiff is reminded that his supporting papers must comply with Fed. R. Civ. P. 56 and applicable law.

Finally, Plaintiff's Separate Statement (ECF No. 250-1) includes a third column ("Plaintiff's Reply..."). The Court's Civil Practice Standards do not allow for a reply by the non-movant.

Because Plaintiff proceeds pro se, the Court will allow Plaintiff one final opportunity to file a compliant response, along with supporting evidence. Accordingly, it is **ORDERED**

(1) that Plaintiff's Answer and separate statements (ECF Nos. 249 and 250) are hereby **STRICKEN**; and

(2) that Plaintiff is granted leave to file a compliant response and separate statement, with supporting evidence, by **Thursday, February 25, 2021**.

The Court strongly encourages Plaintiff to contact the Federal Pro Se Clinic which provides free assistance to people representing themselves in the U.S. District Court for the District of Colorado. The Clinic cannot assist with criminal, bankruptcy, habeas, appeals, or any state cases. If Plaintiff wishes to avail himself of this service, he may make an appointment by phone (303-380-8786) or online at [www.cobar.org/cofederalproseclinic](http://www.cobar.org/cofederalproseclinic). The Clinic is located at: Alfred A. Arraj Courthouse (first floor), 901 19th Street, Denver, CO 80294.

DATED this 19<sup>th</sup> day of February, 2021.

BY THE COURT:



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RAYMOND P. MOORE  
United States District Judge