

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

THOMAS HARE,

Plaintiff,

v.

No. 2:19-cv-01091-RB-GJF

BENNETT J. BAUR, an individual;
STATE OF NEW MEXICO LAW
OFFICES OF THE PUBLIC DEFENDER;
JENNIFER BIRMINGHAM, an individual;
JAMES WALKER, an individual; and
MICHELLE HALEY, an individual;

Defendants.

MEMORANDUM OPINION AND ORDER OVERRULING OBJECTION

THIS MATTER comes before the Court on Plaintiff's Notice of Satisfaction of Sanctions & Objection to the Illegally-Ordered Sanctions. (Doc. 76.)


Judge Fouratt ordered "Plaintiff to pay Defendants' counsel, Michael Bebeau, Esq., monetary sanctions representing a reasonable amount of attorney's fees incurred by Mr. Bebeau in connection with appearing at a hearing at which Plaintiff inexcusably failed to show." (Doc. 69.)

Plaintiff objects to the sanctions imposed by Judge Fouratt asserting that "Judge Fouratt has clearly engaged in illegal activities by presiding over proceedings and matters that exceed his original designation to conduct the initial poverty review pursuant to 28 U.S.C. § 1915." (Doc. 76 at 1.)

The Court overrules Plaintiff's Objection because Judge Fouratt was authorized to impose sanctions for Plaintiff's failure to appear at the May 21, 2020, status conference. (*See* Doc. 70 at

1–2, (explaining that Judge Fouratt was properly authorized to preside over all non-dispositive pre-trial matters in this case).)

IT IS SO ORDERED.



ROBERT C. BRACK
SENIOR U.S. DISTRICT JUDGE