
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

JAMES SCOTT,

Plaintiff,

v.

DAVID ANGERHOFER et al.,

Defendants.

**MEMORANDUM DECISION & ORDER
DENYING MOTION FOR RELIEF
FROM MEMO DECISION & ORDER**

Case No. 2:20-CV-14 DAK

District Judge Dale A. Kimball

On March 13, 2023, the Court entered Memorandum Decision & Order Dismissing Most Federal Claims, Staying Utah Constitutional Claims, & Requiring Service of Process on Defendant Burnham. (ECF No. 47.) Plaintiff then filed Objection to Memo Decision & Order, (ECF No. 57), and Motion for Relief from Memo Decision & Order, (ECF No. 58).

Between Plaintiff's Objection and Motion for Relief from Memo Decision & Order, Plaintiff says the page count the Court used regarding Plaintiff's Second Amended Complaint, (ECF No. 22), was confusing; Plaintiff's "mental anguish and emotional distress" allegations should be applied to Plaintiff's remaining inadequate-medical-treatment claim; and the Court's analyses regarding Plaintiff's property-deprivation and free-speech claims were flawed. (ECF Nos. 57-58.)

ORDER

IT IS ORDERED that:

(1) Plaintiff's Motion for Relief from Memo Decision & Order is **DENIED**. (ECF No. 58.)

(2) The Clerk of Court must send Plaintiff a copy of the Second Amended Complaint, so Plaintiff can be familiar with the page numbering used by the Court. (ECF No. 22.)

(3) Plaintiff may be assured that "mental anguish and emotional distress" allegations will be considered as to his remaining inadequate-medical-treatment claim.

(4) The Court analyses regarding Plaintiff's property-deprivation and free-speech claims stand.

(5) Defendant must within seven days respond to Plaintiff's Motion for Relief from Defendant's Repeated Failure to Comply with Fed. R. Civ. P. 5. (ECF No. 65.)

DATED this 7th day of September 7, 2023.

BY THE COURT:



JUDGE DALE A. KIMBALL
United States District Court