

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:17-CV-00884-CMA-STV

CHAYCE AARON ANDERSON,

Plaintiff,

vs.

JASON SHUTTERS,

Defendant.

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**UNOPPOSED MOTION FOR CLARIFICATION OF AMENDED RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE (DKT. 152)**

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Plaintiff Chayce Aaron Anderson (“Plaintiff”), by and through undersigned counsel, respectfully requests clarification of the Amended Recommendation of United States Magistrate Judge (Dkt. 152). Pursuant to Local Rule 7.1, undersigned counsel conferred with Defendant’s counsel, and Defendant’s counsel does not oppose this Motion. In support of his Motion, Plaintiff states as follows:

1. On November 5, 2019, the Recommendation of United States Magistrate Judge (“Recommendation”) was issued. (Dkt. 148.)
2. On November 19, 2019, the Amended Recommendation of United States Magistrate Judge (“Amended Recommendation”) was issued (Dkt. 152), noting that “[t]he original Recommendation was amended solely to add the notice in footnote 7.” (Dkt. 152 at 1 n.1.)

3. The notice provided in footnote 7 of the Amended Recommendation states that “[w]ithin fourteen days after service of a copy of this Recommendation, any party may serve and file written objections to the magistrate judge’s proposed findings of fact, legal conclusions, and recommendations with the Clerk of the United States District Court for the District of Colorado.” (Dkt. 152 at 18 n.7.)

4. Undersigned counsel understands footnote 7 of the Amended Recommendation to mean that the deadline to file a written objection is December 3, 2019, 14 days from the Amended Recommendation. However, out of an abundance of caution, Plaintiff requests clarification as to whether the fourteen-day timeframe to file written objections should be calculated from the date of the Amended Recommendation or from the date of the original Recommendation.<sup>1</sup>

5. Accordingly, undersigned counsel seeks formal clarification as to whether the deadline to file written objections is December 3, 2019.

WHEREFORE, Plaintiff respectfully requests that the Court clarify the date on which written objections to the Recommendation of United States Magistrate Judge (Dkt. 148) and the Amended Recommendation of United States Magistrate Judge (Dkt. 152) must be filed, and, if the Court finds that today is the deadline, in the alternative, Plaintiff respectfully requests an extension of fourteen days from the date of the Court’s clarifying order to file written objections to the Recommendation of the United States Magistrate Judge and the Amended Recommendation of United States Magistrate Judge.

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<sup>1</sup> Undersigned counsel also contacted the Magistrate Judge’s chambers in connection with this request.

Dated this 19<sup>th</sup> day of November, 2019.

s/Alexandra L. Lakshmanan

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**Attorneys for Plaintiff**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on November 19, 2019, a true and correct copy of the foregoing **MOTION FOR CLARIFICATION OF AMENDED RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE (DKT. 152)** was served on the following counsel of record via the Court's CM/ECF e-file system:

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s/Candee Smith  
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