

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

Civil Action N^o 05-cv-01858-EWN-MJW

SEAN HARRINGTON

Plaintiff,

v.

MADELINE WILSON and the “LAW OFFICE OF MADELINE WILSON”;
CHRISTY RYAN;
BILL J. FYFE and COLUMBINE COUNSELING CENTER, P.C.;
LAURA ARCILISE, in her personal capacity;
LOUISE CULBERSON-SMITH, in her personal capacity;
JOHN GLEASON in both his personal and official capacity;
WENDELL PRYOR in his official capacity;
ROBERT EVANS, in his official capacity; and
the JEFFERSON COUNTY COMBINED COURT (a/k/a “THE FIRST JUDICIAL DISTRICT”),
by and through the COLORADO ATTORNEY GENERAL, JOHN SUTHERS, in his official Capacity.

Defendants

Motion to Reconsider Order Adopting Magistrate’s Recommendations

COMES NOW, Plaintiff, Sean Harrington, pursuant to Fed.R.Civ.P. 59 to submit the within Motion for Reconsideration.

1. On September 7th 2006, Magistrate Watanabe issued a Report and Recommendations. He advised the parties that they have ten (10) days in, which to file an opposition.
2. On September 22nd 2006, this Court issued an Order adopting the Magistrate Judge’s Report and Recommendations, finding that no objection had been timely filed by any party.
3. Fed.R.Civ. 6(a) provides, in pertinent part that, “the day of the act, event, or default from which the designated period of time begins to run shall not be included,” and, “When the

period of time prescribed or allowed is less than 11 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation.”

4. In addition, even for electronic filing, an additional three (3) days is added to the computation under Fed.R.Civ.P. 6(e) for service made under Fed.R.Civ.P. 5(b)(2)(D).
5. Finally, under Section V (B)(1) of ver. 2 of the court’s Electronic Filing Guidelines, “A document will be deemed timely filed in ECF if it is filed prior to midnight (Mountain Time) on its due date. . . ”
6. Under these Rules, Plaintiff has until midnight of the 26th of September in, which to file his objection. Plaintiff intends to file his objection today (September

Respectfully submitted this 22nd day of September, 2006,

S/ Sean Harrington
esoxlucios@msn.com
~~— P.O. Box N^o 351855~~
~~Westminster, Colorado 80035~~
(888) 800-0771

CERTIFICATE OF SERVICE

I hereby certify that, on September 22, 2006, I electronically filed the foregoing Motion for Re-consideration with the Clerk of the Court using the CM/ECF system, which will send electronic mail notification of such filing to all party-defendants, addressed hereto:

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s/ Sean Harrington