

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

Civil Action No. 12-cv-02061-PAB-KLM

ROBERT STEVEN DYE,

Plaintiff,

v.

THE COLORADO DEPARTMENT OF CORRECTIONS, on behalf of the State of Colorado as employer of Steve Bade and Warden Kevin Milyard, STEVE BADE, individually and as employee of the Colorado Department of Corrections, WARDEN KEVIN MILYARD, individually and as supervisor of Steve Bade; DARIN POOLE, individually and as a former employee of the Sedgwick County Sheriff's Office and Sedgwick County Sheriff, SEDGWICK COUNTY SHERIFF RANDY PECK, individually and as Sheriff of Sedgwick County, Colorado, THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, COLORADO as a governmental entity and the Commissioners thereof as the governing entity thereof, THE TOWN BOARD OF THE TOWN OF JULESBURG as a public entity and as governing members thereof, in their official capacities,

Defendants.

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**FINAL JUDGMENT**

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In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the Order [Docket No. 47] of Judge Philip A. Brimmer entered on March 26, 2013 it is

**ORDERED** that the Partial Motion to Dismiss on Behalf of Defendants Poole, Peck, Sedgwick County Commissioners, and Town of Julesburg [Docket No. 14] is

GRANTED in part and DENIED in part. It is denied with respect to the request for attorney's fees. It is granted in all other respects. It is

**FURTHER ORDERED** that the State of Colorado Defendants' Motion to Dismiss Complaint Based [on] Qualified Immunity and for Lack of Subject Matter Jurisdiction [Docket No.17] is GRANTED. It is

**FURTHER ORDERED** that final judgment is hereby entered in favor of the Defendants and against the Plaintiff. It is

**FURTHER ORDERED** that the action is dismissed.

DATED at Denver, Colorado, this 27<sup>th</sup> day of March, 2013.

FOR THE COURT:  
JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler  
Edward P. Butler  
Deputy Clerk