

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 06-cv-01436-CMA-MJW

KEITH CLAYTON BROOKS, JR.,

Plaintiff,

v.

STEVE GAENZLE, Individually and in His Official Capacity as Deputy;
PAUL SMITH, Individually and in His Official Capacity as Deputy;
TERRY MAKETA, Individually and in His Official Capacity as Sheriff;
EL PASO COUNTY SHERIFF'S DEPARTMENT; and
EL PASO COUNTY,

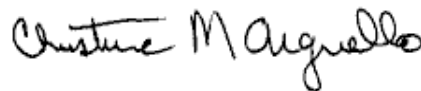
Defendants.

ORDER REMANDING CASE

Pursuant to and in accordance with the August 10, 2010 Opinion of the United States Court of Appeals (Doc. # 207), defendants' state law claim of assault and battery is DISMISSED without prejudice.

DATED: October 6, 2010.

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Court