

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Chief Judge Wiley Y. Daniel

Civil Action No. 06-cv-02525-WYD-MEH

RICHARD G. CHAVEZ,

Plaintiff,

v.

JOHN TOTTEN, Adams County Deputy Sheriff (Sgt.), in his individual capacity,

Defendant.

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**ORDER**

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THIS MATTER is before the Court on Plaintiff Richard Chavez's Motion for Sanctions for Spoliation of Evidence and "Adverse Inference" Jury Instruction for Destruction of X26 Data [doc. #163], filed December 5, 2008; Magistrate Judge Michael E. Hegarty's Recommendation denying that Motion [doc. #193], filed January 20, 2009; and Plaintiff's Motion *In Limine* To Exclude Evidence of Prior Crimes[,] Wrongs[,] or Acts [doc. #229], filed March 27, 2009. My rulings from the bench during the jury trial in this action, for which a verdict has been rendered, disposed of the matters underlying these filings. Accordingly, it is hereby

ORDERED that Plaintiff Richard Chavez's Motion for Sanctions for Spoliation of Evidence and "Adverse Inference" Jury Instruction for Destruction of X26 Data [doc. #163], filed December 5, 2008; Magistrate Judge Michael E. Hegarty's Recommendation denying that Motion [doc. #193], filed January 20, 2009; and

Plaintiff's Motion *In Limine* To Exclude Evidence of Prior Crimes[,] Wrongs[,] or Acts [doc. #229], filed March 27, 2009, are removed from the list of pending matters.

Dated: May 20, 2009.

BY THE COURT:

s/ Wiley Y. Daniel \_\_\_\_\_  
Wiley Y. Daniel  
Chief United States District Judge