

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE

Civil Case No. 08-cv-00140-LTB-MEH

ADAM BURKE,

Plaintiff,

v.

GARFIELD COUNTY SHERIFF'S DEPARTMENT; and
LOU VALLARIO, Sheriff of Garfield County Sheriff's Department, in his official capacity; and
SCOTT DAWSON, a Commander in the Garfield County Sheriff's Department, in his official
capacity,

Defendants.

ORDER

Upon Mandate from the Tenth Circuit Court of Appeals issued on June 2, 2010. In its
opinion issued May 11, 2010, the Tenth Circuit concluded:

“The judgment of the district court dismissing the action is
AFFIRMED, but the case is REMANDED with directions to clarify
the nature of the dismissal [viz. without prejudice] in accordance with
the principles expressed herein.”

Accordingly and pursuant to the mandate

IT IS ORDERED that this matter is DISMISSED WITHOUT PREJUDICE.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, JUDGE

DATED: August 18, 2010