

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

Civil Action No. 08-CV-01224 RPM

**MIKE GARCIA;
SUSAN M. BANNING;
ROSALIE FERNANDEZ;
MONA GARCIA;
JULIO PAEZ;
RENEE E. OLMOS;
TERESA BENNS;
DIANA TWITE;
VAIL TWITE; and
JHONATHON CORTEZ**

Plaintiffs,

v.

**TOWN OF CENTER, a Colorado municipal corporation;
BILL McCLURE, as an individual and in his capacity as the Town of Center Town Clerk
and Election Clerk,
ADELINE SANCHEZ, in her capacity as Mayor for the Town of Center and as an
individual; and
ED GARCIA, in his capacity as Trustee and Assistant Town Clerk for the Town of Center,
and as an individual;**

Defendants.

**ORDER FOR DISMISSAL, WITH PREJUDICE, OF
DEFENDANTS ADELINE SANCHEZ AND ED GARCIA AND
FOR DISMISSAL, WITHOUT PREJUDICE, OF PLAINTIFFS' SIXTH CLAIM FOR
RELIEF, 42 U.S.C. § 1983 CONSPIRACY TO VIOLATE CIVIL RIGHTS, OF THEIR
SECOND AMENDED COMPLAINT**

Upon consideration of the parties' Stipulated Motion for Dismissal, with Prejudice, of Defendants Adeline Sanchez and Ed Garcia, and Stipulated Motion to Dismiss, without prejudice, Plaintiffs' Sixth Claim for Relief, 42 U.S.C. §1983 Conspiracy to Violate Civil Rights, of their Second Amended Complaint, without prejudice [46], it is

ORDERED that the Stipulated Motion is **GRANTED**, and that Defendants Adeline Sanchez and Ed Garcia are hereby dismissed, with prejudice, and Plaintiffs' Sixth Claim for Relief, 42 U.S.C. § 1983 Conspiracy to Violate Civil Rights, of their Second Amended Complaint is hereby dismissed, without prejudice, each party to pay their own costs and attorneys fees.

DATED this 8th day of April, 2009.

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge