

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01829-RPM-MJW

LAURA LOBOZZO,

Plaintiff,

v.

THE COLORADO DEPARTMENT OF CORRECTIONS,  
LA VISTA CORRECTIONAL FACILITY,  
ARISTEDES W. ZAVARAS, Individually and in his capacity as Director of the Colorado  
Department of Corrections,  
SUSAN JONES, Individually and in her capacity as Warden of La Vista Correctional Facility,  
GARY GOLDER, Individually and in his capacity as an administrator of the Colorado  
Department of Corrections,  
LARRY REID, Individually and in his capacity as Warden of La Vista Correctional Facility,  
JAMES E. ABBOTT, Individually and in his capacity as an administrator of the Colorado  
Department of Corrections,  
ANTHONY MARTINEZ,  
JOHN DOES I-X, and  
JANE DOES I-X,

Defendants.

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**ORDER ON PARTIAL MOTION TO DISMISS FROM DEFENDANTS ZAVARAS, JONES,  
GOLDER, REID AND ABBOTT**

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Upon review of the complaint, the partial motion to dismiss from defendants Zavaras, Jones, Golder, Reid and Abbott, filed December 5, 2008 and the plaintiff's response, filed January 20, 2009, it is

ORDERED that the motion is granted to the extent that the claims made in the complaint are claims against these named defendants individually, under 42 U.S.C. § 1983 and do not constitute claims against them in their official capacities or claims against the State of Colorado.

Dated: January 22, 2009

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge