

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 08-cv-01856-REB-KMT

JAMES JOSEPH SCHNEIDER,

Plaintiff,

v.

ELAINE COOPER, L.P.C.,
DAVID NEWCOMB, C.A.C., III,
LORI LAMM-SWANSON, L.P.C.,
VICKI RODGERS, and
JEFFERSON CENTER FOR MENTAL HEALTH,

Defendants.

ORDER SUPPLEMENTING & CORRECTING ORDER FOR JUDGMENT

Blackburn, J.

This matter is before me *sua sponte*. On February 16, 2010, I entered an **Order Adopting Recommendation of the United States Magistrate Judge** [#93]. In my order [#93], I omitted explicit consideration of the claims asserted against defendant Jefferson Center for Mental Health. Under FED. R. CIV. P. 60(a), I may correct an oversight or omission in a judgment or order. I issue this order to correct my omission in my previous order [#93].

In a filing [#86] on August 6, 2009, the Jefferson Center for Mental Health joined in the **Defendants' Motion To Dismiss Plaintiff's Second Amended Complaint or for Summary Judgment with Incorporated Brief Authority** [#73]. For the reasons detailed by the magistrate judge in her recommendation [#92], the defendants' motion to dismiss [#73] is well-taken. The arguments asserted in the motion to dismiss are

applicable equally to the Jefferson Center for Mental Health. In my **Order Adopting Recommendation of the United States Magistrate Judge** [#93] filed February 16, 2010, I adopted the recommendation [#92] of the magistrate judge and granted the defendants' motion to dismiss. [#73]. The Jefferson Center for Mental Health had joined in the motion to dismiss and should have been included in my order granting the motion to dismiss and directing the entry of judgment.

THEREFORE, IT IS ORDERED as follows:

1. That under FED. R. CIV. P. 60(a), I enter this order to correct my omission of defendant Jefferson Center for Mental Health from my previous order [#93] directing the entry of judgment in this case;

2. That **JUDGMENT SHALL ENTER** in favor of the defendants, Elaine Cooper, L.P.C., David Newcomb, C.A.C., III, Lori Lamm-Swanson, L.P.C., Vicki Rodgers, and Jefferson Center for Mental Health and against the plaintiff, Joseph James Schneider;

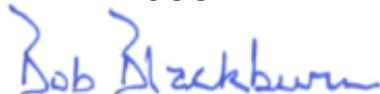
3. That the defendants are **AWARDED** their costs to be taxed by the Clerk of the Court pursuant to FED. R. CIV. P. 54(d)(1) and D.C.COLO.LCivR 54.1;

4. That otherwise, my **Order Adopting Recommendation of the United States Magistrate Judge** [#93] entered February 16, 2010, **SHALL REMAIN** in full force and effect; and

5. That this case is **DISMISSED**.

Dated February 18, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge