

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

Civil Case No. 08-cv-02281-REB-MJW

JEREMY HASTINGS, a minor, by and through his parent and next friend, MICHAEL HASTINGS,

Plaintiff,

v.

THE CITY AND COUNTY OF DENVER POLICE DEPARTMENT, through Police Chief Gerald R. Whitman, in his official capacity,

Defendant.

ORDER OF DISMISSAL

Blackburn, J.

The matter before me is the **Stipulated (Unopposed) Motion To Dismiss The City and County of Denver Police Department, Through Police Chief Gerald R. Whitman, in His Official Capacity** [#37] filed July 21, 2009. After careful review of the motion and the file, I conclude that the motion should be granted, and that this action should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated (Unopposed) Motion To Dismiss The City and County of Denver Police Department, Through Police Chief Gerald R. Whitman, in His Official Capacity** [#37] filed July 21, 2009, is **GRANTED**;
2. That the Trial Preparation Conference set for December 18, 2009, is **VACATED**;

3. That the jury trial set to commence January 11, 2010, is **VACATED**; and
4. That this action is **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs.

Dated July 22, 2009, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge