

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Chief Judge Wiley Y. Daniel**

Civil Action No. 08-cv-02327-WYD-CBS

ELIAS EDWARD CASILLAS,

Plaintiff,

v.

PAUL M. BEACH, Edgewater, Colorado Police Officer, individually and in his official capacity;  
CATHLEEN LOVATO, Edgewater, Colorado Police Sgt., individually and in her official capacity;  
MATTHEW REIERSON, Edgewater, Colorado Police Officer, individually and in his official capacity;  
MIKE MARCHESE, Edgewater, Colorado Police Commander, individually and in his official capacity;  
DAN KEOUGH, Edgewater, Colorado Police Captain, individually and in his official capacity  
EDGEWATER POLICE DEPARTMENT;  
ASHLEY AUGUSTIN, Duty DA Jefferson County Colorado, individually and in her official capacity;  
ALEXIS KING, Duty DA Jefferson County Colorado, individually and in her official capacity;  
SCOTT STOREY, District Attorney Jefferson County Colorado, individually and in his official capacity;  
PAULA ODEN, First Judicial Managing Clerk Reporter, individually and in her official capacity;  
XYZ companies I through X; and  
JOHN DOES and JANE DOES I through X,

Defendants.

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**ORDER**

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THIS MATTER is before the Court in connection with Plaintiff's Motion to Dismiss Defendants Scott Storey, Ashley Augustin, Alexis King, and Paula Oden Pursuant to Fed. R. Civ. P. 41(A)(I) [#59], filed June 2, 2009. Upon review of the file, it appears that

none of the above mentioned Defendants have filed an answer or motion for summary judgment in this case. Therefore, the motion shall be construed as a Notice of Dismissal pursuant to Fed. R. Civ. P. 41(A)(i). In consideration thereof, it is hereby

ORDERED that the motion is **GRANTED** and Defendants Scott Storey, Ashley Augustin, Alexis King, and Paula Oden are hereby dismissed, in both their individual and official capacities, without prejudice.

Dated: June 5, 2009

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge