

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

Civil Action No. 09-cv-01051-REB-KMT

JOHN NASIOUS,

Plaintiff,

v.

CO KENNETH LEFEVER, Colorado Dept. of Corrections  
MAJOR JOHNSON, Colorado Dept. of Corrections  
LT. SHANE MCMAHILL, Colorado Dept. of Corrections  
CATHIE HOLST, Manager of Correctional Legal Services,  
ADA Coordinator, AIC CDOC,  
ADRIENNE JACOBSON, Legal Assistant AIC/ADA Coordinator CDOC,

Defendants

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**ORDER GRANTING DEFENDANTS' MOTION FOR CLARIFICATION**

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**Blackburn, J.**

The matter before me is **Defendants CO Kenneth Lefever, Major Johnson, Lt. Shane McMahonill's Motion for Clarification of Order Concerning Recommendation of United States Magistrate Judge [Doc. No. 201] [#203]**<sup>1</sup> filed June 30, 2011. I grant the motion.

Defendants point out an apparent clerical error in my **Order Concerning Recommendation of United States Magistrate Judge [#201]** filed June 29, 2011. In essence, although I granted defendants' motion for summary judgment (*see id.* ¶ 3 at 9), their names were not included in the caption of the document or in the portion of the

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<sup>1</sup> "[#203]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

order dismissing various named defendants as parties to the action (*id.* ¶ 13 at 11). Because it was my intention to dismiss these defendants from the action, I find and conclude that the motion should be granted.

**THEREFORE, IT IS ORDERED** as follows:

1. That **Defendants CO Kenneth Lefever, Major Johnson, Lt. Shane McMahon's Motion for Clarification of Order Concerning Recommendation of United States Magistrate Judge [Doc. No. 201] [#203]** filed June 30, 2011, is **GRANTED**; and

2. That defendants, CO Kenneth Lefever, Major Johnson, and Lt. Shane McMahon, all in their individual and official capacities, are **DROPPED** as named parties from this action, and the case caption is **AMENDED** accordingly.

Dated July 6, 2011, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge