

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 09-cv-01147-LTB-KMT (Consolidated with Civil Action Nos. 09-cv-01218-LTB-KMT; 09-cv-01313-LTB-KMT; 09-cv-01352-LTB-KMT; and 09-cv-01553-LTB-KMT)

JAMES BRAXTON,
TROY GRAVES,
RONALD JOHNSON,
PAUL PALECECK, and
MICHAEL DAVID JOHNSON,

Plaintiffs,

v.

ARISTEDES ZAVARAS, THE EXECUTIVE DIRECTOR OF THE C.D.O.C.,
KEVIN MILYARD,
TERRY BARTRUFF,
LLOYD WAIDE,
JEFF REVORD,
RAYMOND HIGGINS,
GARY LITTLE,
ROBERT KEISEL,
SHAWN REWOLDT,
ASSOCIATE WARDEN CAROL SOARES,
MAJOR KENNETH WILDENSTEIN,
MAJOR MARY OX-BERGMAN, and
UNKNOWN JOHN AND JANE DOES (MANAGEMENT TEAM MEMBERS AND SERT TEAM MEMBERS);
ALL IN THEIR OFFICIAL AND INDIVIDUAL CAPACITIES,

Defendants.

ORDER

THIS MATTER having come before the Court on Plaintiffs James Braxton, Ronald Johnson, and Paul Palececk's Motion for Voluntary Dismissal of Defendant Wildenstein (Doc 40 - filed October 20, 2009), and the Court being fully advised in the premises, it is therefore

ORDERED that this matter shall be **DISMISSED as to Defendant Wildenstein only**, each party to pay their own fees and costs.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: October 21, 2009