

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01972-WYD-MJW

JOSEPH J. FLEMING,

Plaintiff,

v.

FNU MNU CAMACHO, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

In an Order issued earlier today (Docket No. 84), Chief Judge Daniel dismissed all claims against defendant Curtis and the official capacity claim against defendant Camacho **with prejudice**. In addition, Chief Judge Daniel found that even if plaintiff's motion for leave to file Third Amended Complaint is granted, that tendered pleading did not change the analysis as plaintiff still had not made viable official capacity constitutional claims against defendants Curtis and Camacho. In view of those findings and dismissals, and upon review of the tendered Third Amended Complaint (Docket No. 77), it is hereby

ORDERED that the plaintiff's Motion to File Third Amended Complaint Under F.R. Civ. Proc. 15(c)(2) (**Docket No. 82**) is **denied without prejudice**. It is further

ORDERED that the deadline for amendment of pleadings is extended up to and including **June 30, 2010**. It is further

ORDERED that Dr. Polland's Motion to Extend the Time to Respond to the Second Amended Complaint (**Docket No. 80**) is **granted**, and defendant Polland shall thus have up to and including **July 13, 2010**, to answer or otherwise respond to the Second Amended Complaint.

Date: June 15, 2010
