

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

Civil Case No. 09-cv-02422-REB-CBS

JEFFREY GOSNEY,
TONEY CLIFTON,
DYLAN GOSNEY,
KAYLINA-MAE BARELA,
CASANDRA GOSNEY, and
DANIEL ZBIKOWSKI,

Plaintiffs,

v.

DONALD KRUEGER, individually and in his official capacity as Sheriff of Clear Creek County;
JOEL BUEHRLE, individually;
KIMBERLY DOUGLAS, individually;
JANE DOE, name unknown of Animal Control, individually;
CITY OF IDAHO SPRINGS, a Statutory City by and through its governing body the CITY COUNSEL;
DAVID B. WOHLERS, individually, and in his official capacity as Chief of Police of Idaho Springs;
BRIAN BIENEMANN, individually;
TOWN OF GEORGETOWN, a Territorial Charter Municipality, by and through its governing body the BOARD OF SELECTMEN;
GEORGE WEIDLER, individually, and in his official capacity as Police Marshal of Georgetown;
RANDY WILLIAMS, individually;
TOWN OF EMPIRE, a Statutory City by and through its governing body the BOARD OF TRUSTEES;
JOHN L. CASTRODALE, individually;
BRENT R. GRAHAM, individually; and
JOHN DOES I through X, unknown law enforcement officers,

Defendants.

**ORDER DISMISSING DEFENDANTS, TOWN OF EMPIRE
AND JOHN L. CASTRODALE, ONLY**

Blackburn, J.

The matter before me is the **Stipulated Motion To Dismiss Defendants Town of Empire and John L. Castrodale** [#48] filed April 16, 2010. After careful review of

the motion and the file, I conclude that the motion should be granted and that plaintiffs' claims against defendants, Town of Empire and John L. Castrodale, should be dismissed with prejudice.

THEREFORE, IT IS ORDERED as follows:


1. That the **Stipulated Motion To Dismiss Defendants Town of Empire and John L. Castrodale** [#48] filed April 16, 2010, is **GRANTED**;

2. That plaintiffs' claims against defendants, Town of Empire and John L. Castrodale, are **DISMISSED WITH PREJUDICE** with the parties to pay their own attorney fees and costs; and

3. That defendants, Town of Empire and John L. Castrodale, are **DROPPED** as named parties to this action, and the case caption is amended accordingly.

Dated April 19, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge