

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Michael J. Watanabe

Civil Action No. 09-cv-02584-PAB-MJW

CHRISTINA MARQUEZ,

Plaintiff(s),

v.

RIO GRANDE COUNTY, et al.,

Defendant(s).

MINUTE ORDER

It is hereby **ORDERED** that Defendants Brian Norton, Sheriff of Rio Grande County and Boyd Wheelwright, Deputy Sheriff of Rio Grande County's ("Rio Grande Defendants") Motion for Stay of Discovery (docket no. 52) is **GRANTED**. Discovery is **STAYED** as to the Rio Grande Defendants until such time as the qualified immunity issue is resolved.

The Rio Grande Defendants have asserted that they are entitled to qualified immunity. The qualified immunity defense protects defendants not only from liability, but also from the burdens of discovery and litigation as well. Until this threshold immunity question is resolved, discovery should not be allowed. See Cummins v. Campbell, 44 F.3d 847, 851 (10th Cir. 1994)(*citing* Harlow v. Fitzgerald, 457 U.S. 800, 817-18 (1982); Workman v. Jordan, 958 F.2d 332, 335 (10th Cir. 1992), *cert. denied*, 514 U.S. 1015 (1995).

Date: July 13, 2010
