

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 10-cv-00506-CMA-BNB

DENEEN R. GAMMONS,

Plaintiff,

v.

CITY OF DENVER, COLORADO, a municipal corporation,
JOHN W. HICKENLOOPER, in his official capacity as Mayor, City of Denver
DENVER CITY COUNCIL, in and for the City of Denver, Colorado,
a municipal corporation, in their official capacities, as follows:
RICK GARCIA (District 1), in his official capacity
JEANNE FAATZ (District 2), in her official capacity;
PAUL D. LOPEZ (District 3), in his official capacity;
PEGGY LEHMAN (District 4), in her official capacity;
MARCIA JOHNSON (District 5), in her official capacity;
CHARLIE BROWN (District 6), in his official capacity;
CHRIS NEVITT (District 7), in his official capacity;
CARLA MADISON (District 8), in her official capacity;
JUDY MONTERO (District 9), in her official capacity;
JEANNE ROBB, President (District 10), in her official capacity;
MICHAEL HANCOCK (District 11), in his official capacity;
CAROL BOIGON (At-Large), in her official capacity;
DOUG LINKHART (At-Large), in his official capacity;
ALVIN J. LaCABE, Manager of Safety, City of Denver, Colorado,
a municipal corporation, in his official capacity,
GERALD R. WHITMAN, Chief of Police, City of Denver, Colorado,
a municipal corporation, in his official capacity,
OFFICER STEPHEN STACK (Ser. No. 06029), Denver Police Department,
City of Denver, Colorado, a municipal corporation, in both his official
and individual capacities,
DETECTIVE HENRY P. GONZALES (Ser. No. 79031), Denver Police Department,
City of Denver, Colorado, a municipal corporation, in both his official
and individual capacities,
DETECTIVE KARA BILSTEIN (Ser. No. 96043), Denver Police Department,
City of Denver, Colorado, a municipal corporation, in both her official
and individual capacities,
SGT. KIM HULL (Ser. No. 78020), Denver Police Department, City of Denver,
Colorado, a municipal corporation, in both her official and individual capacities,

JAMES C. THOMAS, Assistant City Attorney, City of Denver, Colorado,
a municipal corporation, in his official capacity, and
TIFFANIE W. BLEAU, Assistant City Attorney, City of Denver, Colorado,
a municipal corporation, in her official capacity,

Defendants.

ORDER GRANTING MOTION TO DISMISS

This matter is before the Court on Plaintiff Deneen R. Gammons's (Unopposed) Motion to: Dismiss Complaint (Without Prejudice), for Revision and Refiling Within All Applicable Statutes of Limitations for Plaintiff's Claims (Doc. # 23).

Given the factual deficiencies in the Complaint, as highlighted by Defendants in their Motion to Dismiss (Doc. # 9), and Plaintiff's desire to further investigate her claims, Plaintiff's Motion (Doc. # 23) is hereby GRANTED.

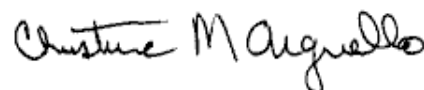
Although Plaintiff's Motion is labeled "Unopposed," Plaintiff acknowledges that she did not confer with counsel prior to the filing of the instant Motion, contrary to D.C.COLO.LCivR 7.1. The Court will make a one-time exception; counsel is directed to make every effort to comply with Rule 7.1 in the future.

Accordingly, IT IS ORDERED THAT:

1. Plaintiff's Motion to Dismiss Complaint Without Prejudice (Doc. # 23) is GRANTED;
2. Plaintiff's Complaint (Doc. # 1) is DISMISSED WITHOUT PREJUDICE.

DATED: June 21, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge