

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 10-cv-01187-RPM

THOMAS L. MCLALLEN III,

Plaintiff,

v.

SHERIFF KIRK M. TAYLOR, in his official and individual capacity;
UNDERSHERIFF J.R. HALL, in his official and individual capacity;
CAPTAIN LEIDE DEFUSCO, in his official and individual capacity;
INSPECTOR TOM PROUD, in his official and individual capacity;
BUREAU CHIEF DARLENE ALCALA, in her official and individual capacity;
LIEUTENANT DON LEACH, in his official and individual capacity; and
SERGEANT LEROY MORA, in his individual and official capacity.

Defendants.

**ORDER GRANTING MOTION TO DISMISS WITH PREJUDICE
DEFENDANT SERGEANT LEROY MORA AND DEFENDANT
LIEUTENANT DON LEACH**

Upon consideration of the Stipulated Motion to Dismiss with Prejudice Defendant Sergeant Leroy Mora and Defendant Lieutenant Don Leach [35] filed April 27, 2011, it is

ORDERED that the Stipulated Motion to Dismiss with Prejudice is granted as it relates to claims and defenses between Plaintiff and Sergeant Leroy Mora and Lieutenant Don Leach only. Furthermore, all future pleadings shall remove the names Sergeant Leroy Mora and Lieutenant Don Leach from the caption heading. Furthermore, all claims between Plaintiff and remaining Defendants Taylor, Hall, DeFusco, Proud and Alcala remain and are not being dismissed by way of the Stipulation.

So Ordered this day of April 28th, 2011.

s/Richard P. Matsch
Richard P. Matsch, Senior District Judge