

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

Civil Case No. 10-cv-02197-REB-MEH

EDRICE E. KELLEY, through her Conservators,
CELIA JUDKINS,
MARIE TAYLOR, and
JOAN SULLIVAN COWAN,

Plaintiffs,

v.

NEAL KELLEY,

Defendant.

ORDER DENYING SUMMARY JUDGMENT MOTIONS

Blackburn, J.

The matters before me are (1) **Defendant 's Motion for Summary Judgment** [#41]¹ filed June 30, 2011; and (2) **Plaintiff's Motion for Partial Summary Judgment and Memorandum in Support Thereof** [#42] filed July 1, 2011. I have jurisdiction over this matter pursuant to 28 U.S.C. § 1332 (diversity of citizenship). Having reviewed the motions and responses and the apposite arguments, authorities, and evidence presented by the parties, it is apparent that there exist genuine issues of material fact that are not appropriate for summary resolution.

THEREFORE, IT IS ORDERED as follows:

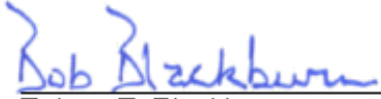
1. That **Defendant 's Motion for Summary Judgment** [#41] filed June 30, 2011, is **DENIED**; and

¹ "[#41]" is an example of the convention I use to identify the docket number assigned to a specific paper assigned by the court's electronic case filing and management system (CM/ECF) in Criminal Case No. 06-cr-00270-REB. I use this convention throughout this order.

2. That **Plaintiff's Motion for Partial Summary Judgment and Memorandum in Support Thereof** [#42] filed July 1, 2011, is **DENIED**.

Dated November 21, 2011, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge