

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

Civil Action No. 1:10-cv-02504-DME-KLM

THOMAS RADICK,

Plaintiff,

v.

MARK IPPOLITO, Health Services Administrator, FCI Englewood,  
DR. KRAUSE, Physician, FCI Englewood,  
MR. GARZA, Physician's Assistant, FCI Englewood,  
NURSE WAGONER, Nurse, FCI Englewood,  
MRS. LEYBA, Administrative Hearing Officer, FCI Englewood,  
MR. WALDO, Case Manager, FCI Englewood,  
MS. DONSANJ, Unit Manager, FCI Englewood, and  
MR. WATTS, F.B.O.P. Administrative Remedy Coordinator, Central Office, in his official  
and individual capacity,

Defendants.

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**FINAL JUDGMENT**

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Pursuant to and in accordance with Fed. R. Civ. P. 58(a), the orders entered during the course of proceedings in this case, the following final judgment is hereby entered.

I. Pursuant to and in accordance with the Order to Dismiss in Part and to Draw Case to A District Judge and to a Magistrate Judge entered by Judge Zita L. Weinshienk on January 12, 2011, Defendants Harley Lappin, Mike Nally, Mr. Fields, and Rene Garcia are dismissed as parties to this action.

II. Pursuant to and in accordance with the Order Adopting Recommendation of the United States Magistrate Judge entered by U.S. Circuit Court Judge David M. Ebel on September 21, 2012, incorporated herein by reference, it is

ORDERED that:

1. The Magistrate Judge's Recommendation (Doc. 111) is ADOPTED IN FULL, and incorporates by reference the Magistrate Judge's earlier Recommendation (Doc. 94).
2. The Motion for Summary Judgment filed by Defendants Ippolito, Krause,

Garza, Wagoner, Leyba, Waldo, and Donsanj (Doc. 86) is GRANTED.

3. Defendant Watts' Motion to Dismiss (Doc. 108) is GRANTED IN PART, DENIED IN PART (as to the assertion challenging personal jurisdiction), and DENIED AS MOOT IN PART.
4. Defendant Watts' Motion for Summary Judgment (Doc. 109) is GRANTED.

It is FURTHER ORDERED that this civil action is dismissed without prejudice.

DATED at Denver, Colorado, this 28<sup>th</sup> day of September, 2012.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler

Edward P. Butler  
Deputy Clerk