

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 10-cv-02586-RPM

GARY L. GURULE,

Plaintiff,

v.

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY COLORADO;
DOUGLAS N. DARR, in his official capacity as the Sheriff of Adams County;
BRIAN CALDWELL, individually, and in his official capacity as an Adams County Deputy
Sheriff; and
PRISON HEALTH SERVICES, INC.,

Defendants.

ORDER DISMISSING FIFTH, SIXTH, SEVENTH AND NINTH CLAIMS FOR RELIEF
AND DEFENDANT BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY,
COLORADO

Pursuant to the Plaintiff's response, filed February 2, 2011, to Defendants' Douglas N. Darr and Brian Caldwell's motion to dismiss the fifth, sixth, seventh, and ninth claims for relief and the Plaintiff's response to Defendant Board of County Commissioners for Adams County's Motion to Dismiss, filed January 4, 2011, it is

ORDERED that the plaintiff's fifth, sixth, seventh and ninth claims for relief against Defendants Douglas N. Darr and Brian Caldwell are dismissed with prejudice and it is

FURTHER ORDERED that the Board of County Commissioners for Adams County is dismissed as a defendant for the failure to allege a claim for relief under Fed.R.Civ.P. 12(b)(6) and it is

FURTHER ORDERED that a request for attorney fees must be made by separate motion and comply with D.C.COLO.LCivR 54.3.

DATED: February 3rd, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge