

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

Civil Case No. 10-cv-02862-REB-KLM

VICTORIA CARBAJAL, and  
DEAN CARBAJAL,

Plaintiffs,

v.

GREGORY SULLIVAN,  
LAURIE FREUND,  
JEFFREY WATTS,  
SEVENTH JUDICIAL DISTRICT,  
DELTA COUNTY BOARD OF COUNTY COMMISSIONERS,  
MONTROSE COUNTY BOARD OF COUNTY COMMISSIONERS,  
GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS,  
MANDY ALLEN,  
STEVEN PATRICK,  
JAMES SCHUM,  
CHARLES GREENACRE,  
SANDRA MILLER,  
JEFF HERRON,  
MYRL SERRA,  
SHERRI PRICE,  
DEPUTY DISTRICT ATTORNEY KRAMER,  
CITY OF DELTA,  
MONTROSE PROBATION DEPARTMENT,  
DELTA PROBATION DEPARTMENT,  
CAROL WARNER,  
DAVID ROMERO,  
JOE QUINTANA,  
UNKNOWN MONTROSE PROBATION OFFICER,  
ADAMS COUNTY PROBATION DEPARTMENT,  
ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS,  
UNKNOWN ADAMS COUNTY PROBATION OFFICER,  
BETH VALERIO,  
DELTA SHERIFF DEPARTMENT,  
UNKNOWN DELTA SHERIFF,  
BILL RAILEY,  
CHRIS WELDON,  
DEPUTY HATCH,  
B. WOLFE,  
B. SHROEDER,  
CITY OF DENVER,

DENVER POLICE DEPARTMENT,  
DENVER CHIEF OF POLICE,  
GILBERTO LUCIO,  
UNKNOWN DENVER POLICE OFFICER 1,  
UNKNOWN DENVER POLICE OFFICER 2,  
UNKNOWN DENVER POLICE OFFICER 3,  
UNKNOWN DENVER POLICE OFFICER 4,  
UNKNOWN DENVER POLICE OFFICER 5,  
UNKNOWN DENVER POLICE OFFICER 6,  
UNKNOWN DENVER POLICE OFFICER 7,  
UNKNOWN DENVER POLICE OFFICER 8,  
UNKNOWN DENVER POLICE OFFICER 9,  
COLORADO DEPARTMENT OF CORRECTIONS,  
UNKNOWN SUPERIOR CORRECTIONAL OFFICER,  
UNKNOWN CORRECTIONAL OFFICER 1,  
UNKNOWN CORRECTIONAL OFFICER 2,  
CITY OF WESTMINSTER,  
WESTMINSTER POLICE DEPARTMENT,  
WESTMINSTER CHIEF OF POLICE,  
UNKNOWN WESTMINSTER POLICE OFFICER 1,  
UNKNOWN WESTMINSTER POLICE OFFICER 2,  
CITY OF ARVADA,  
ARVADA POLICE DPARTMENT,  
ARVADA CHIEF OF POLICE,  
PATRICK MEESTER,  
A.J. DEANDREA,  
JOURDAN LOPEZ-BASGALL,  
UNKNOWN ARVADA POLICE OFFICER 1, and  
UNKNOWN ARVADA POLICE OFFICER 2, defendants are being sued in their  
individual and official capacities, jointly and severally,

Defendants.

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**ORDER OF DISMISSAL AS TO CERTAIN DEFENDANTS**

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**Blackburn, J.**

The matter is before me on plaintiffs' motion to dismiss parties, actually entitled **Plaintiff's (sic) Voluntary Dismissal of Suit Against Adams County BOCC, Adams County Probation, Montrose County BBOC, Gunnison County BOCC, City of Delta, Unknown Arvada Police Officer 1, Unknown Arvada Police Officer 2, Arvada**

**Police Dept., Westminster Police Dept., Denver Police Dept. And Delta Sheriffs Dept., and Claim 16-18 U.S.C. 242** [#88]<sup>1</sup> filed March 23, 2011. After reviewing the motion and the file, I conclude that the motion should be granted and that plaintiffs' claims against defendants, Adams County BOCC (Board of County Commissioners), Adams County Probation Department, Montrose County BOCC, Gunnison County BOCC, City of Delta, Unknown Arvada Police Officer 1, Unknown Arvada Police Officer 2, Arvada Police Department, Westminster Police Department, Denver Police Department, and Delta Sheriff's Department, should be dismissed. In addition, as requested by the plaintiffs, their sixteenth claim for relief is dismissed.

**THEREFORE, IT IS ORDERED** as follows:

1. That plaintiff's motion to dismiss parties, actually entitled **Plaintiff's** (sic) **Voluntary Dismissal of Suit Against Adams County BOCC, Adams County Probation, Montrose County BBOC, Gunnison County BOCC, City of Delta, Unknown Arvada Police Officer 1, Unknown Arvada Police Officer 2, Arvada Police Dept., Westminster Police Dept., Denver Police Dept. And Delta Sheriffs Dept., and Claim 16-18 U.S.C. 242** [#88] filed March 23, 2011, is **GRANTED**;

2. That plaintiffs' claims against defendants, Adams County BOCC (Board of County Commissioners), Adams County Probation Department, Montrose County BOCC, Gunnison County BOCC, City of Delta, Unknown Arvada Police Officer 1, Unknown Arvada Police Officer 2, Arvada Police Department, Westminster Police

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<sup>1</sup> "[#88]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

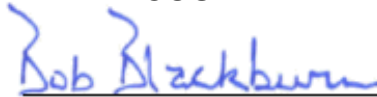
Department, Denver Police Department, and Delta Sheriff's Department, are **DISMISSED**;

3. That defendants, Adams County BOCC (Board of County Commissioners), Adams County Probation Department, Montrose County BOCC, Gunnison County BOCC, City of Delta, Unknown Arvada Police Officer 1, Unknown Arvada Police Officer 2, Arvada Police Department, Westminster Police Department, Denver Police Department, and Delta Sheriff's Department, are **DROPPED** as named parties in this case, and the case caption is **AMENDED** accordingly; and

4. That the plaintiffs' sixteenth claim for relief is **DISMISSED**.

Dated March 24, 2011, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge