

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

Civil Action No. 10-cv-03171-RPM

TODD SPERRY and
LINDA (TETTER) SPERRY, individually and
as the parents and guardians of J.S. and L.S.,

Plaintiffs,

v.

TONY LANE, individually, and in his official capacity as Chief of the Castle Rock Police Department,
TY PETERSEN, individually, and in his official capacity as corporal with the Castle Rock Police
Department,
JASON T. MAES, individually, and official capacity a sergeant of the Castle Rock Police
Department,
GEORGE ELDER, individually, and official capacity as an officer with the Castle Rock Police
Department,
BRANDON LEFEVRE, individually, and official capacity as an officer with the Castle Rock Police
Department,
TROY STEMBLE, individually, and official capacity as an officer with the Castle Rock Police
Department,
UNKOWN OFFICERS OF THE CASTLE ROCK POLICE DEPARTMENT, individually, and official
capacity as an officer with the Castle Rock Police Department, and
CITY OF CASTLE ROCK, COLORADO, a municipality,

Defendants.

ORDER GRANTING LEAVE TO FILE SECOND AMENDED COMPLAINT

On June 10, 2011, the plaintiffs filed a Motion for Leave to File Second Amended Complaint and a second amended complaint was tendered therewith. The defendants filed a response to the motion, objecting to the filing on the basis that the second amended complaint is insufficient to cure the defects raised in the defendant's motion to dismiss heard on May 17, 2011. A more appropriate procedure to raise the issues the defendants seek to assert in their response is to proceed with the filing of the second amended complaint and a motion to dismiss. Accordingly, it is

ORDERED that the plaintiffs' motion is granted and the second amended tendered therewith is filed.

DATED: June 15th, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge