

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
CHIEF JUDGE MARCIA S. KRIEGER**

Courtroom Deputy: Patricia Glover  
Court Reporter: Janet Coppock

Date: September 24, 2014

Civil Action No. 11-cv-00102-MSK-KLM

Parties:

DANIEL MARTINEZ, JR.,  
NATHAN MARTINEZ,  
DANIEL MARTINEZ, III, and  
JONATHAN MARTINEZ,

Plaintiffs,

v.

JASON VALDEZ, in his individual and official  
capacity,  
ROBERT MARTINEZ, in his individual and  
official capacity,  
ROBERT MOTYKA, in his individual and official  
capacity, and  
BRYCE JACKSON, in his individual and official  
capacity,

Defendants.

Counsel:

David Lane  
Kathryn Stimson

Michael Lowe  
Jamie Wynn

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**COURTROOM MINUTES**

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HEARING: Jury Trial Day 6

**9:03 a.m. Court in session**

The Court addresses the remaining part of plaintiffs' motion to amend complaint (Doc. #130) which it took under advisement.

**ORDER:** The remainder of Plaintiffs' Motion to amend Complaint (**Doc. #130**) is **GRANTED**. The claim against Sgt. Motyka for unlawful entry into the house that was dismissed on the motion for summary judgment is reinstated.

The Court addresses defendants' oral Rule 50 motion.

Argument.

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The Court defers ruling on the motion at this time.

Charging conference.

**10:01 a.m. Court in recess**  
**10:28 a.m. Court in session**

Charging conference continues.

The Court's rulings regarding tendered and/or instructions taken under advisement are as set forth in the record.

**11:17 a.m. Court in recess**  
**1:30 p.m. Court in session**

1:32 p.m. Jury present.

The Court instructs the jury.

Closing arguments.

**3:26 p.m. Court in recess**  
**3:38 p.m. Court in session**

Closing arguments continue.

Oath to the marshal.

4:52 p.m. Jury excused to begin deliberations.

**4:54 p.m. Court in recess**  
**5:00 p.m. Court in session**

5:03 p.m. Jury excused for the day until 8:30 a.m. tomorrow.

**5:05 p.m. Court in recess**

**Total Time: 5 hours 14 minutes**  
**Trial continued.**