

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

Civil Action No. 11-cv-00353-RPM

LARA ROOSEVELT-HENNIX,

Plaintiff,

v.

OFFICER SHANE PRICKETT,

Defendant.

ORDER DENYING MOTION TO AMEND JUDGMENT

On June 26, 2012, the defendant Shane Prickett filed a Combined Motion and Memorandum Brief in Support of Motion to Amend Judgment, asserting that this Court failed to address the defendant's qualified immunity defense. There is clearly established law that a police officer violates the Fourth Amendment when he uses excessive force against a person in his custody and the test is what a reasonable police officer would do under the same circumstances. In this case, there is a factual dispute concerning the conduct of the plaintiff and the reasonableness of the use of force against her, including the use of the Taser device. It is therefore

ORDERED that the motion is denied.

Dated: July 18th, 2012

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge