

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-01150-PAB-CBS

RICHARD S. MCINTOSH,

Plaintiff,

v.

HARLEY G. LAPPIN, individually and in his official capacity as Director,
JOYCE CONLEY, individual and in her official capacity as Assistant Director,
MICHAEL K. NALLEY, individually and in his official capacity as Regional Director,
RONNIE WILEY, individually and in his official capacity as Warden,
BLAKE R. DAVIS, individually and in his official capacity as Warden,
SARA M. REVELL, individually and in her official capacity as Warden,
W. A. SHERROD, individually and in his official capacity as Warden,
RUSSEL RAU, individually and in his official capacity as Associate Warden,
KEVIN MURPHY, individually and in his official capacity as Associate Warden,
NELSON, individually and in her official capacity as Associate Warden,
E. A. STEPP, individually and in his official capacity as Warden,
SPROUL, individually and in his official capacity as Unit Manager,
BUDDY ADELSBERGER, individually and in his official capacity as Unit Manager,
CARNEY, individually and in her official capacity as Unit Manager,
FLUCK, individually and in her official capacity as Case Manager,
GERALD BOZMAN, individually and in his official capacity as Case Manager,
RANDY DAVIS, individually and in his official capacity as Warden,
MARTA SANTIAGO, individually and in her official capacity as Case Manager,
MS. KRIST, individually and in her official capacity as S.I.A.,
MR. KRIST, individually and in his official capacity as Captain,
JOHN VANYUR, individually and in his official capacity as Assistant Director, and
OTHER PARTIES, Name Unknown, individually and in their official capacities relating to
A "Validation" Process,

Defendants.

FINAL JUDGMENT

In accordance with orders filed during the pendency of this case, and pursuant to
Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the Order (Doc #142) of Judge Philip A. Brimmer entered on September 26, 2012 it is

ORDERED that the Recommendation of Magistrate Judge Regarding Pending Motions to Dismiss [Docket No. 132] is ACCEPTED in part. It is further

ORDERED that the motion to dismiss filed by the defendants in their official capacities [Docket No. 66] is GRANTED and the motion to dismiss filed by defendants in their individual capacities [Docket No. 105] is GRANTED in part and DENIED in part. It is further

ORDERED that plaintiff's motion to amend his complaint [Docket No. 136] is DENIED. It is further

ORDERED that plaintiff's complaint is dismissed without prejudice and this case is closed in its entirety.

DATED at Denver, Colorado, this 28th day of September, 2012.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/Edward P. Butler

Edward P. Butler

Deputy Clerk