

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

Civil Action No. 11-cv-02186-RPM

MARIANNE MEINTS,

Plaintiff,

v.

MICHAEL HRONICK,
PAUL C. BROOKS,
ROD WILLIAMS, and
TED MINK, in his official capacity as Sheriff of the County of Jefferson,

Defendants.

ORDER DISMISSING SHERIFF TED MINK IN HIS OFFICIAL CAPACITY

On December 5, 2011, the Defendant Sheriff Ted Mink in his official capacity filed a motion to dismiss the plaintiff's claims against him in his official capacity for the failure of the plaintiff to set forth in the amended complaint sufficient facts to support a claim of liability for an official policy or custom violating the plaintiff's constitutionally protected interests. The plaintiff responded on December 29, 2011, contending that the allegations of misconduct in other cases against sheriff deputies in Jefferson County demonstrate a lack of training with respect to determining probable cause for an arrest. The defendant Sheriff filed his reply on January 12, 2012.

The claims in this case relate to circumstances involving a court protection order and a confrontation between the plaintiff and her ex husband at their child's school. The operative facts are different from those allegations in the complaint about other conduct said to be in violation of the Fourth Amendment to the Constitution by arrests and

seizures without probable cause. The allegations of the complaint are not sufficient to support a claim of institutional liability against the Sheriff and it is therefore

ORDERED that this civil action is dismissed as to the defendant Sheriff Ted Mink.

DATED: January 27th, 2011

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior Judge