

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02257-MJW

JAMES F. BLUM,

Plaintiff,

v.

TOM CLEMENTS, in his official capacity as Executive Director of Colorado Department of Corrections;

TRAVIS TRANI, individually and in his official capacity as Warden of Colorado Department of Corrections;

ANTHONY A. DeCESARO, grievance officer, Colorado Department of Corrections, individually and in his official capacity;

LEE ROMANSKI, a member of the sex offender treatment team at Arrowhead Correctional Facility, individually and in her official capacity;

DANIEL CLAUS, individually and in his official capacity;

S. MICHAEL DUNLAP, individually and in his official capacity;

BURL McCULLAR, individually and in his official capacity;

MARGARET HEIL, individually and in her official capacity;

DAVID TESSIER, individually and in his official capacity;

J.D. SCOLLARD, individually and in his official capacity;

CHRISTINE TYLER, individually and in her official capacity;

DANA KRAKOW, individually and in her official capacity;

BONNIE CANTU, individually and in her official capacity;

CHRISTINA MARQUEZ, individually and in her official capacity;

JENNIFER MARTINEZ, individually and in her official capacity;

LEONARD WOODSON, individually and in his official capacity; and

BRIAN KOCH, individually and in his official capacity,

Defendants.

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FINAL JUDGMENT

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Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Orders entered during the pendency of this case, the following FINAL JUDGMENT is hereby entered.

I. Pursuant to the Court's ORDER granting in part and denying in part Motion to Dismiss, entered by United States Magistrate Judge Michael J. Watanabe on

June 28, 2012 [ECF No. 81] and incorporated herein by reference as if fully set forth, it is

ORDERED that defendants' motion is GRANTED insofar as all defendants are DISMISSED in their official capacities to the extent any of plaintiff's claims seek any relief other than injunctive relief. It is further

ORDERED that defendants' motion is GRANTED insofar as defendants Clements, DeCesaro, Dunlap, Krakow, Koch, Marquez, Romanski, Scollard, Tessier, Trani, and Tyler are DISMISSED in their individual capacities as to any claims brought under § 1983. It is further

ORDERED that defendants' motion is GRANTED insofar as Claim Ten and Eleven are DISMISSED. It is further

ORDERED that defendants' motion is GRANTED insofar as any claims brought under the Due Process Clause, including Claim Two, Four, and the Due Process portion of Claim Nine, are DISMISSED. It is further

ORDERED that defendants' motion is GRANTED insofar as any claims brought under the Equal Protection Clause, including Claim Seven and the Equal Protection portion of Claim Nine, are DISMISSED. It is further

ORDERED that defendants' motion is DENIED on all other grounds.

II. Pursuant to the Order on Defendants' Motion for Summary Judgment, entered by United States Magistrate Judge Michael J. Watanabe, on October 22, 2012, and incorporated herein by reference as if fully set forth, it is

ORDERED that Defendants' Motion for Summary Judgment (Docket No. 85) is granted. Accordingly, judgment is hereby entered in favor of the defendants and

against the plaintiff and the Third Amended Complaint and this civil action are hereby dismissed. It is further

ORDERED that pursuant to Fed. R. Civ. P 54(d)(1) and D.C.COLO.LCivR 54.1 defendants are entitled to costs. A bill of costs for the clerk's determination must be filed on the appropriate form within 14 days of the date of this order.

Dated at Denver, Colorado this 23<sup>rd</sup> day of October, 2012.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler  
Edward P. Butler, Deputy Clerk