

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01107-WYD-MJW

MELVEN LIPS and  
JULIEN LIPS,

Plaintiffs,

v.

DETECTIVE CESAR MADRIGAL, in his individual and official capacities;  
SERGEANT STEVE CROUSHORE, in his individual and official capacities; and  
DETECTIVE JOSEPH POLLACK, in his individual and official capacities.

Defendants.

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**MINUTE ORDER**

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ORDER ENTERED BY SENIOR JUDGE WILEY Y. DANIEL

Defendants' Motion to Supplement Motion for Summary Judgment (ECF No. 42) is **GRANTED**. Defendants may file an entirely renewed motion for summary judgment, which incorporates their statute of limitations argument. However, because I need to review complete briefing on this issue (and all other issues related to summary judgment) along with hearing argument from both parties, I take no position at this time as to whether Defendants can properly raise a valid statute of limitations argument or whether this defense has been waived. Accordingly, it is

ORDERED that Defendants' motion for summary judgment (ECF No. 22) is **DENIED WITHOUT PREJUDICE** with leave to refile a renewed motion not later than **Friday, March 21, 2014**. Plaintiffs shall respond not later than **April 21, 2014**. Once this motion is filed, I will set an expedited hearing on the merits of the motion.

Dated: February 26, 2014