

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

Civil Action No. 12-cv-02007-LTB

DEAN CARBAJAL,
Plaintiff,

v.

DAN HOTSENPILLER, District Attorney of the Seventh Judicial District, in his individual and official capacity,
SEITH RYAN, Deputy District Attorney of the Seventh Judicial District, in his individual and official capacity,
WYATT ANGELO, Former District Attorney of the Seventh Judicial District, in his individual capacity,
MYRL SERRA, Former Deputy District Attorney and Former District Attorney of the Seventh Judicial District, in his individual capacity,
SEVENTH JUDICIAL DISTRICT, a Political Subdivision of the State of Colorado,
JEFF HERRON, a Private Co-conspirator, in his individual capacity,
CLINT THOMASON, an Agent for the Colorado Bureau of Investigation, in his individual and official capacity,
ROGER CROSS, Police Officer for the Montrose Police Department, in his individual capacity,
OFFICER BROWN, Police Officer for the Montrose Police Department, in his individual capacity,
CITY OF MONTROSE, a Municipality of the State of Colorado,
PATRICK SAYAS, Assistant Attorney General for the State of Colorado, in his individual and official capacity,
TERRY RUCKRIEGLE, District Court Judge for the Seventh Judicial District, in his individual and official capacity,
BOARD OF COUNTY COMMISSIONERS OF MONTROSE COUNTY, a Political Subdivision of the State of Colorado, and
MONTROSE COUNTY, a County of the State of Colorado,
Defendants.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE LEWIS T. BABCOCK

Plaintiff's "Petition for Federal Injunction Pursuant to Fed. R. Civ. P. 65" (ECF No. 39) and Plaintiff's "Motion to Set Hearing" (ECF No. 40) are DENIED because the instant action was dismissed by order filed on September 5, 2012. Furthermore, the Court lacks jurisdiction to consider the motions because Plaintiff has appealed to the United States Court of Appeals for the Tenth Circuit.

Dated: December 19, 2012
