

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 12-cv-02072-RM-KLM

ARNOLD A. CARY,

Plaintiff,

v.

RODNEY ACHEN, CTCF, Food Services Captain,

Defendant.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a), all Orders entered during the pendency of this case, and the Order entered by the Honorable Raymond P. Moore, United States District Judge, on November 25, 2015,

IT IS ORDERED that Magistrate Judge Mix's Recommendation (ECF No. 110) is ADOPTED in its entirety.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment (ECF No. 90) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Eighth Amendment Claim (ECF No. 21 at 20-23) is dismissed without prejudice, and this matter is closed.

Dated at Denver, Colorado, this 25th day of November, 2015.

BY THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/Deborah Hansen
Deborah Hansen, Deputy Clerk