

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Case No. 12-cv-2083-WJM-KLM

ROBERT KIRKLAND

Plaintiff,

v.

DEPUTY JAMES O'BRIEN, in his individual capacity,
DEPUTY BRIAN D. JONES, in his individual capacity,
DEPUTY RAFAEL AVINA, in his individual capacity,
DEPUTY HENRY E. TRUJILLO, in his individual capacity, and
CAROLANN MAHONEY, R.N., in her individual capacity,

Defendants.

**ORDER GRANTING STIPULATED MOTION TO DISMISS
PLAINTIFF'S FIRST CLAIM FOR RELIEF**

This matter comes before the Court on the Parties' Stipulation to Dismiss Plaintiffs' First Claim for Relief filed September 20, 2013 (ECF No. 69). The Court having reviewed the Motion and being fully advised hereby ORDERS as follows:

The Parties' Stipulated Motion to Dismiss is GRANTED. Plaintiffs' First Claim for Relief is hereby DISMISSED WITH PREJUDICE. Each party shall pay his or her own attorney's fees and costs.

Dated this 23rd day of September, 2013.

BY THE COURT:



William J. Martínez
United States District Judge