

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-02304-REB-MJW

KALI JEMMA BAKER,

Plaintiff,

v.

RYAN O'HAYRE, in his individual and official capacity,,

Defendant.

ORDER

Blackburn, J.

The matter before me is the **Stipulated Motion To Voluntarily Dismiss the City of Lakewood and Amend The Case Caption** [#15]¹ filed October 26, 2012. After reviewing the motion and the record, I conclude that the motion should be granted and that plaintiff's claims against defendant Ryan O'Hayre, in his official capacity, should be dismissed without prejudice.

THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulated Motion To Voluntarily Dismiss the City of Lakewood and Amend The Case Caption** [#15] filed October 26, 2012, is **GRANTED**;
2. That plaintiff's claims against defendant Ryan O'Hayre, in his official capacity, are **DISMISSED WITHOUT PREJUDICE**;

¹ "[#15]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's electronic case filing and management system (CM/ECF). I use this convention throughout this order.

3. That the caption is **AMENDED** to name the defendant as "Ryan O'Hayre, in his individual capacity;" and

4. That **Defendant Ryan O'Hayre's Partial Motion To Dismiss Plaintiff's Complaint (ECF No. 1) Pursuant to FED. R. CIV. P. 12(b)(6) [#13]** filed October 9, 2012, is **DENIED** as moot.

Dated October 29, 2012, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge