

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

Civil Action No. 12-cv-02362-REB-KLM

RAYMOND MONTOYA,

Plaintiff,

v.

BRUCE NEWMAN, in his official capacity as the Sheriff of Huerfano County Jail,
LARRY GARBISO,
DOE #1-2, detention officer at Huerfano County Jail,
DOE #1-2, medical staff member at Huerfano County Jail, and
DR. NEECE,

Defendants.

MINUTE ORDER¹

The following motions are before the court for consideration: (1) defendants Newman and Garbiso's (county defendants) **Unopposed Motion For Leave To Amend Partial Motion To Dismiss** [#14] filed September 10, 2012; and (2) plaintiff's **Motion For Extension of Time To Respond To Defendants' Amended Motion To Dismiss** [#15] filed September 10, 2012. After reviewing both motions and the record, the court has concluded that the motions should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That county defendants' **Unopposed Motion For Leave To Amend Partial Motion To Dismiss** [#14] filed September 10, 2012, is **GRANTED**;
2. That county defendants are granted leave to amend their partial motion to dismiss for the purpose of including the FED. R. CIV. P. 12(b)((6) standard;
3. That county defendants' **Amended Partial Motion To Dismiss** [#14-2] is accepted for filing.

¹ This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.

4. That plaintiff's **Motion For Extension of Time To Respond To Defendants' Amended Motion To Dismiss** [#15] filed September 10, 2012, is **GRANTED**; and

5. That plaintiff shall have until **October 3, 2012**, in which to file a response to defendant's amended partial motion to dismiss.

Dated: September 12, 2012