

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03231-REB-KLM

VICTORIA CARBAJAL,  
DEAN CARBAJAL, and  
LUIS LEAL,

Plaintiffs,

v.

MITCHELL R. MORISSEY, District Attorney for the Second Judicial District, in his official and individual capacities,  
JEFFREY WATTS, Investigator for the Second Judicial District, in his official and individual capacities,  
ROBERT FULLER, Investigator for the Second Judicial District, in his official and individual capacities,  
REBEKAH MELNICK, Deputy District Attorney for the Second Judicial District, in her official and individual capacities,  
LARA MULLIN, Deputy District Attorney for the Second Judicial District, in her official and individual capacities,  
MILES FLESCHE, District Administrator and Clerk for the Second Judicial District, in his official and individual capacities,  
KEITH CRISWELL, Deputy Court Clerk for the Second Judicial District, in his official and individual capacities,  
ANNE MANSFIELD, District Court Judge for the Second Judicial District, in her official and individual capacities,  
KEEFER, Deputy Sheriff for the Denver Detention Center, in his official and individual capacities,  
MICHAEL SIMPSON, Detective for the Denver Police Department, in his official and individual capacities,  
JAY LOPEZ, Detective for the Denver Police Department, in his official and individual capacities,  
RICHARD HAGAN, Detective for the Denver Police Department, in his official and individual capacities,  
CAROL DWYER, a co-conspirator with the Second Judicial District Attorney's Office, in her official and individual capacities,  
WELLS FARGO, a corporation,  
BRIAN BERARDINI, a co-conspirator with the Second Judicial District Attorney's Office, in his individual capacity, and  
JOHN SUTHERS, Attorney General for the State of Colorado, in his official and individual capacities,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Defendants Deputy Sheriff Keefer, Michael Simpson, Jay Lopez, and Richard Hagan's **Motion to Extend Time to Answer or Otherwise Plead** [Docket No. 75; Filed April 9, 2013] (the "Motion to Extend") and on Defendant City and County of Denver's **Motion to Clarify** [Docket No. 78; Filed April 9, 2013].

IT IS HEREBY **ORDERED** that the Motion to Extend [#75] is **GRANTED**. Defendants Deputy Sheriff Keefer, Michael Simpson, Jay Lopez, and Richard Hagan shall file an answer or otherwise respond to Plaintiff's Amended Complaint **on or before May 13, 2013**.

IT IS FURTHER **ORDERED** that the Motion to Clarify [#78] is **GRANTED** as follows: Defendant City and County of Denver's proposed Motion to Dismiss [#40-1] has not yet been docketed as a motion in this matter, because Defendant City and County of Denver's underlying Motion for Leave to File Appearance and Motion to Dismiss, *Instantly*, is not yet ripe for a ruling by the Court. Although Plaintiffs have filed a Response [#68] to the proposed Motion to Dismiss [#40-1], this Response was premature. Accordingly, Defendant City and County of Denver need not file a Reply to Plaintiff's Response until after resolution of the underlying Motion for Leave [#40].

Dated: April 12, 2013