

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

Civil Action No. 13-cv-00880-REB-KLM

IVAN CORTEZ,

Plaintiff,

v.

CHRISTOPHER FLORES,  
THOMAS DECESARO,  
KATHERINE LACONTE, and  
JONATHAN MCCLUSKEY,

Defendants.

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**ORDER DISMISSING DEFENDANT, KATHERINE LACONTE, ONLY**

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**Blackburn, J.**

The matter is before me on the **Stipulated Motion For Partial Dismissal** [#15]<sup>1</sup> filed August 2, 2013. After reviewing the motion and the record, I conclude that the motion should be granted and that plaintiff's claims against defendant,, Katherine Laconte, should be dismissed with prejudice, each party to pay his or her own costs and attorney fees. I further conclude that plaintiff's unlawful seizure claim, except the claim that defendants, Flores, Decesarro and/or McCluskey, used excessive force during the seizure of plaintiff, should be dismissed with prejudice, each party to pay his own costs and attorney fees.

**THEREFORE, IT IS ORDERED** as follows:

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<sup>1</sup> “[#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.

1. That the **Stipulated Motion For Partial Dismissal** [#15] filed August 2, 2013, is **GRANTED**;


2. That plaintiff's claims against defendant, Katherine Laconte, are **DISMISSED WITH PREJUDICE** with each of the affected parties to pay its own attorney fees and costs;

3. That plaintiff's unlawful seizure claim, except the claim that defendants, Flores, Decesaro and/or McCluskey, used excessive force during the seizure of plaintiff, is **DISMISSED WITH PREJUDICE** with each of the affected parties to pay its own attorney fees and costs; and

4. That defendant, Katherine Laconte, is **DROPPED** as a named party to this action, and the case caption is amended accordingly.

Dated August 9, 2013, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge