

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 13-cv-01138-PAB-KMT

ROBERT SCOTT BERRY,

Plaintiff,

v.

CITY OF MONTROSE, COLORADO,
MICHAEL L. WATSON, Detective, Montrose Police Department, in his official capacity;
LARRY ABEYTA, Detective, Montrose Police Department, in his official capacity; and
GARY CORAM,

Defendants.

FINAL JUDGMENT

In accordance with the orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a), the following Final Judgment is hereby entered.

Pursuant to the Order [Docket No. 30] of Judge Philip A. Brimmer entered on March 12, 2014, it is

ORDERED that defendant Gary Coram's FED.R.CIV.P. 12(b)(6) Motion to Dismiss [Docket No. 17] is **GRANTED in PART**. Plaintiff's third and fourth claims are dismissed without prejudice. It is

FURTHER ORDERED that the Motion to Dismiss [Docket No. 19] filed by defendants City of Montrose, Michael L. Watson, and Lenny Abeyta is **GRANTED in PART**. Plaintiff's first claim for relief is dismissed without prejudice. Plaintiff's second claim for relief is dismissed with prejudice. It is

FURTHER ORDERED that Plaintiff ROBERT SCOTT BERRY recover nothing. It is

FURTHER ORDERED that judgment is hereby entered in favor of defendants CITY OF MONTROSE, MICHAEL L. WATSON, LARRY ABEYTA, and GARY CORAM.

It is

FURTHER ORDERED that defendants are **AWARDED** their costs, to be taxed by the Clerk of the Court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1. It is

FURTHER ORDERED that this case is CLOSED.

Dated at Denver, Colorado this 14th day of March, 2014.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

s/Kathy Preuitt-Parks

Kathy Preuitt-Parks
Deputy Clerk