

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

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.

ORDER

This matter is before the Court on the Unopposed Motion to Modify/Correct Order of Dismissal filed by defendants the City of Montrose, Colorado, Michael L. Watson, and Lenny Abeyta (“defendants”) [Docket No. 34]. On March 12, 2014, the Court granted in part defendants’ motion to dismiss. Docket No. 30 at 13. The Court dismissed plaintiff’s first claim for relief against defendants without prejudice and dismissed plaintiff’s second claim for relief with prejudice. *See id.* Defendants request that the Court dismiss plaintiff’s first claim for relief with prejudice. Good cause appearing, it is

ORDERED that the Unopposed Motion to Modify/Correct Order of Dismissal [Docket No. 34] is **GRANTED**. It is further

ORDERED that plaintiff’s first claim for relief is dismissed with prejudice.

DATED March 16, 2015.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge