

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

Civil Action No. 13-cv-01456-PAB-MJW

PIERRE TERRON O'NEAL WATSON,

Plaintiff,

v.

T.K. COZZA-RHODES, Warden,
DAN CLARK, Lieutenant,
ED VINCENT, Counselor,
JEFF GEORGE, Disciplinary Hearing Officer, and
MIRANDA AVALOS, Lieutenant,

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 Accepting Magistrate Judge's Recommendation [Docket No. 43] of Judge Philip A. Brimmer entered on April 10, 2014, it is

ORDERED that the Recommendation of United States Magistrate Judge Michael J. Watanabe [Docket No. 39] is **ACCEPTED**. It is further

ORDERED that Defendants George, Cozza-Rhodes and Avalos's Motion for Summary Judgment on the Issue of Exhaustion of Administrative Remedies [Docket No. 33] is **GRANTED** and the claims against defendants JEFF GEORGE, T.K. COZZA-RHODES, and MIRANDA AVALOS are dismissed without prejudice. It is further

ORDERED that the claims against unserved defendants DAN CLARK and ED VINCENT are dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2) on the basis of failure to exhaust administrative remedies. It is further

ORDERED that judgment is hereby entered in favor of the defendants and against the plaintiff. It is further

ORDERED that defendants T.K. COZZA-RHODES, DAN CLARK, ED VINCENT, JEFF GEORGE, and MIRANDA AVALOS 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 11th day of April, 2014.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ Kathy Preuitt-Parks

Kathy Preuitt-Parks
Deputy Clerk