

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

Civil Action No. 13-cv-01469-CMA-KLM

DAVID E. WILKENSON

Plaintiff,

v.

STATE OF COLORADO, and
MESA COUNTY, COLORADO,

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 Adopting and Affirming December 14, 2013 Recommendation of the United States Magistrate Judge of Judge Christine M. Arguello entered on January 10, 2014 it is

ORDERED that, Plaintiff's objection (Doc. # 29) is OVERRULED and the Recommendation of United States Magistrate Judge Kristen L. Mix (Doc. # 28) is AFFIRMED IN PART and ADOPTED IN PART as an Order of this Court. Pursuant to the Recommendation, it is

FURTHER ORDERED that Defendant State of Colorado's Motion to Dismiss (Doc. # 15) is GRANTED and Plaintiff's claims against the State of Colorado are DISMISSED WITHOUT PREJUDICE for lack of jurisdiction.

IT IS FURTHER ORDERED that Defendant Mesa County's Motion to Dismiss (Doc.

17) is GRANTED and Plaintiff's claims against Mesa County are DISMISSED WITH PREJUDICE as barred by the statute of limitations.

IT IS FURTHER ORDERED that this case is DISMISSED in its entirety.

Dated at Denver, Colorado this 10th day of January, 2014.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

s/Sandra Hartmann

Sandra Hartmann
Deputy Clerk