

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

Civil Action No. 13-cv-01675-REB-MJW

AARON JORDAN,

Plaintiff,

v.

ALEXANDER DIAS SIMONES,  
MARC SEARS, official capacity suit City of Aurora's officers,  
CARRIAGE PARK CONDO ASSOCIATION, and  
DENNIS HOUCK,

Defendants.

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**FINAL JUDGMENT**

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This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **ORDER OVERRULING OBJECTIONS TO AND ADOPTING RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE** [#60] entered by Judge Robert E. Blackburn on March 21, 2014, which order is incorporated herein by this reference.

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

1. That the magistrate judge's **Recommendation on Defendants Carriage Park Homeowners Association's and Dennis Houck, President of Carriage Park HOA's Motion To Dismiss Pursuant to F.R.C.P. 12(b)(1) and 12(b)(6) (Docket No. 12) and Aurora Defendants' Motion To Dismiss Pursuant to Fed. R. Civ. P. Rule 12(b)(5) for Insufficiency of Service of Process (Docket No. 15) [#50]**, filed February 7, 2014, is **APPROVED AND ADOPTED** as an order of this court;

2. That the objections stated in plaintiff's **Objection to Recommendation to Dismiss Defendants Dennis Houck and Carriage Park H.O.A. Pursuant to F.R.C.P. 12(b)(1), (5), (6) (Docket 12) and Aurora Defendants' Motion To Dismiss Pursuant to Fed. R. Civ. P. 12(b)5 for Insufficiency of Service of Process (Docket No. 15) [#53]**, filed February 25, 2014, are **OVERRULED**;

3. That **Defendants Carriage Park Homeowners Association's and Dennis Houck, President of Carriage Park HOA's Motion To Dismiss Pursuant to F.R.C.P. 12(b)(1) and 12(b)(6) [#12]**, filed July 18, 2013, is **GRANTED**;

4. That the **Aurora Defendants' Motion To Dismiss Pursuant to Fed. R. Civ. P. Rule 12(b)(5) for Insufficiency of Service of Process [#15]**, filed August 5, 2013, is **GRANTED**;

5. That plaintiff's claims against defendants Carriage Park Condo Association and Dennis Houck are **DISMISSED WITHOUT PREJUDICE** for failure to allege facts sufficient to state plausible claims for relief;

6. That plaintiff's claims against defendants Alexander Dias Simones and Marc Sears are **DISMISSED WITHOUT PREJUDICE** for insufficiency of service of process; and

7. That judgment without prejudice **IS ENTERED** in favor of defendants, Alexander Dias Simones; Marc Sears; Carriage Park Condo Association; and Dennis Houck, against plaintiff, Aaron Jordan, as to all claims and causes of action asserted herein.

DATED at Denver, Colorado, this 21<sup>st</sup> day of March, 2014.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/Kathleen Finney  
Kathleen Finney  
Deputy Clerk