

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01786-WYD-KMT

ROBERT C. CROUSE,

Plaintiff,

v.

THE CITY OF COLORADO SPRINGS, a Colorado governmental entity;  
THE CITY OF COLORADO SPRINGS POLICE DEPARTMENT, a local governmental  
entity;  
PETER CAREY, in his official capacity as the Chief of Colorado Springs Police  
Department;  
EL PASO COUNTY, a Colorado Governmental entity;  
DAN MAY, in his official capacity as the District Attorney for El Paso County;  
NICK BAYNE, in his official and individual capacity; and,  
UNKNOWN MEMBERS OF THE COLORADO SPRINGS POLICE DEPARTMENT, in  
their official and individual capacities,

Defendants.

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**MINUTE ORDER**

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ORDER ENTERED BY SENIOR JUDGE WILEY Y. DANIEL

THIS MATTER is before the Court *sua sponte*. On Wednesday, July 31, 2013, plaintiff, Robert C. Crouse, filed a First Amended Complaint [ECF No. 15]. Prior to this filing, the defendants filed two separate motions to dismiss: (1) the City Defendants' Motion To Dismiss Plaintiff's Complaint (Doc. 5) Pursuant To Fed. R. Civ. P. 12(b)(1) And 12(b)(6) [ECF No. 10]; and, (2) the County Defendants' Motion To Dismiss Plaintiff's Complaint And Jury Demand (Doc. 5) Pursuant To Fed. R. Civ. P. 8(a), 12(b)(1) and (6) [ECF No. 11]. With the First Amended Complaint [ECF No. 15] now being the operative pleading in this matter, it is

ORDERED that the City Defendants' Motion To Dismiss Plaintiff's Complaint (Doc. 5) Pursuant To Fed. R. Civ. P. 12(b)(1) And 12(b)(6) [ECF No. 10] and the County Defendants' Motion To Dismiss Plaintiff's Complaint And Jury Demand (Doc. 5) Pursuant To Fed. R. Civ. P. 8(a), 12(b)(1) and (6) [ECF No. 11] are **DENIED AS MOOT**.

Dated: August 5, 2013.