

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

Civil Action No. 13-cv-02093-PAB-DW

FRANK CALER,

Plaintiff,

v.

BROOKS BROWN, in his individual and official capacities,
TJ FITZWATER, in his individual and official capacities,
RICHARD RIVERA, in his individual and official capacities,
LOGAN GHOLSON, in his individual and official capacities,

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 Orders [Docket Nos. 48 and 47] of United States District Judge Philip A. Brimmer entered on September 25, 2014, it is

ORDERED that defendants' Motion to Dismiss [Docket No. 11] is **GRANTED**. It is further

ORDERED that defendants' Motion for Summary Judgment [Docket No. 28] is **GRANTED**. It is further

ORDERED that plaintiff's 42 U.S.C. § 1983 claims against defendants Richard Rivera, Logan Gholson, Brooks Brown, and TJ Fitzwater are dismissed with prejudice. It is further

ORDERED that plaintiff's state law claims against Richard Rivera, Logan

Gholson, Brooks Brown, and TJ Fitzwater are dismissed without prejudice for lack of subject matter jurisdiction. It is further

ORDERED that judgment is hereby entered in favor of defendants Brooks Brown, TJ Fitzwater, Richard Rivera and Logan Gholson and against plaintiff Frank Caler. It is further

ORDERED that defendants 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 25th day of September, 2014.

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ Jennifer Hawkins

Jennifer Hawkins
Deputy Clerk