

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 14–cv–00879–KMT

ANDREY KOLESNIKOV,

Plaintiff,

v.

OFFICER BENJAMIN AUSTIN, individually and in his capacity as a paid peace officer and as an employee and/or agent of the Denver Police Department and the City of Denver,
OFFICER BRIAN KLAUS, individually and in his capacity as a paid peace officer and as an employee and/or agent of the Denver Police Department and the City of Denver,
CORPORAL JOHN BLEA, individually and in his capacity as a paid peace officer and as an employee and/or agent of the Denver Police Department and the City of Denver,
OFFICER DAN SWINT, individually and in his capacity as a paid peace officer and as an employee and/or agent of the Denver Police Department and the City of Denver,
OFFICER JOHN DOE, individually and in his capacity as a paid peace officer and as an employee and/or agent of the Denver Police Department and the City of Denver,
DENVER POLICE DEPARTMENT, in its capacity as an agent and/or independent contractor of the City and County of Denver, in its capacity as a governmental entity, the employee and/or supervisor of Officer Ben Austin, Officer Brian Klaus, Corporal John Blea, Officer Dan Swint, Officer John Doe, and
CITY AND COUNTY OF DENVER, in its capacity as a governmental entity and/or as the employer of Officer Ben Austin, Officer Brian Klaus, Corporal John Blea, Officer Dan Swint, Officer John Doe, and the Denver Police Department,

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 (Doc. No. 22) of Magistrate Judge Kathleen M. Tafoya entered on October 10, 2014 it is

ORDERED that Defendants' "Motion to Dismiss" (Doc. No. 8) is **GRANTED**. The claims against Defendants Austin, Klaus, Blea, Swint, and the Denver Police Department are dismissed with prejudice. It is further

ORDERED that the claims against Defendant City and County of Denver are dismissed without prejudice.

Pursuant to the Order (Doc. No. 25) of Magistrate Judge Kathleen M. Tafoya entered on December 2, 2014 it is

ORDERED that the claims against Defendant John Doe are dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) for lack of service. It is further

ORDERED that judgment shall enter in favor of the defendants and against the plaintiff on all claims for relief and causes of action asserted in this case. It is further

ORDERED that the defendants are awarded their costs to be taxed by the Clerk of Court in the time and manner prescribed by 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 3rd day of December, 2014.

BY THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ S. Grimm

Deputy Clerk