

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01520-KLM

JULIA CHUNG,

Plaintiff,

v.

EL PASO SCHOOL DISTRICT #11,

Defendant.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the Court's **Order to Show Cause** [#96]¹ and on Plaintiff's **Verified Response to Order to Show Cause and Affidavit** [#97] (the "Motion"). On June 29, 2015, the Court issued the Order to Show Cause with respect to whether the Court had subject matter jurisdiction over Plaintiff's Title VII retaliation claim, for which Plaintiff had not yet received a right-to-sue letter. The Court concluded by presenting Plaintiff with the following options: (1) attach to her response a copy of the notice of right to sue from the EEOC on Plaintiff's retaliation claim; (2) voluntarily dismiss her retaliation claim without prejudice, or (3) state that she would prefer to administratively close the case until receipt of her notice of right to sue from the EEOC on her second charge. [#96] at 4-5. Plaintiff responded on July 2, 2015, by indicating that she would prefer to dismiss her

¹ "[#96]" is an example of the convention the Court uses to identify the docket number assigned to a specific paper by the Court's case management and electronic case filing system (CM/ECF). This convention is used throughout this Order.

retaliation claim without prejudice. Accordingly,

IT IS HEREBY **ORDERED** that the Order to Show Cause [#96] is **DISCHARGED**.

IT IS FURTHER **ORDERED** that Plaintiff's Title VII retaliation claim is **DISMISSED without prejudice** for lack of subject matter jurisdiction. See *Order to Show Cause* [#96] at 2-4.

An Order regarding Defendant's Corrected Motion for Summary Judgment [#79], which now pertains only to Plaintiff's Title VII discrimination claim, will issue in due course.

Dated: July 2, 2015

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kristen L. Mix". The signature is written in a cursive, flowing style.

Kristen L. Mix
United States Magistrate Judge