

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 14-cv-03374-WJM-KMT

JOSEPH D. CHEAVENS,

Plaintiff,

v.

PUBLIC SERVICE CORPORATION OF COLORADO, D/B/A XCEL ENERGY,
MATT JANOWIAK, as Ranger, Columbine District, San Juan National Forest,
KARA CHADWICK, as Supervisor, San Juan National Forest, and
NATIONAL FOREST SERVICE, an agency of the United States Department of
Agriculture,

Defendants.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a), all Orders entered during the pendency of this case, and the Order Adopting Recommendations of Magistrate Judge Granting Defendants' Motions to Dismiss and Denying Plaintiff's Motion for Leave to File Second Amended Complaint, entered by the Honorable William J. Martínez, United States District Judge, on March 31, 2016, it is

ORDERED that the First Recommendation (ECF No. 59) and Second Recommendation (ECF No. 60) are ADOPTED.

IT IS FURTHER ORDERED that Public Service Company of Colorado's Motion to Dismiss (ECF No. 27) is GRANTED.

IT IS FURTHER ORDERED that Forest Service Defendants' Motion to Dismiss (ECF No. 28) is GRANTED.

IT IS FURTHER ORDERED that Final Judgment is entered for defendants and against the plaintiff and the action and Amended Complaint are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that defendants are awarded costs upon the filing of a Bill of Costs with the Clerk of Court within fourteen days after entry of Final Judgment.

Dated at Denver, Colorado this 31st day of March, 2016.

BY THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/Deborah Hansen
Deborah Hansen, Deputy Clerk