

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 14-cv-03400-RPM

SEAN TAFOYA,

Plaintiff,

v.

FALCON FIRE PROTECTION DISTRICT and  
TRENT HARWIG, named in his individual and  
official capacities,

Defendants.

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ORDER DISMISSING CLAIMS III AND IV OF THE COMPLAINT

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A legal issue has been raised by the defendants' Motion to Amend Final Pretrial Order (Doc. 43) and the plaintiff's opposition (Doc. 44). That is whether the Colorado Constitution can be enforced through the claims made in this civil action. The Court's answer is no. It is therefore

ORDERED that Claims III and IV of the Complaint are dismissed without prejudice.

DATED: April 27, 2016

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior Judge