

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

Civil Action No. 15-cv-00109-RPM

MICHAEL VALDEZ,

Plaintiff,

v.

PETER DERRICK III, Denver Police Officer, in his individual and in his official capacities;  
JOHN MCDONALD, Denver Police Officer, in his individual and in his official capacities;  
ROBERT MOTYKA, JR., Denver Police Officer, in his individual and in his official capacities;  
JEFF MOTZ, Denver Police Officer, in his individual and in his official capacities;  
KARL ROLLER, Denver Police Officer, in his individual and in his official capacities; and  
CITY OF DENVER,

Defendants.

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ORDER DENYING DEFENDANTS' PARTIAL MOTION TO DISMISS AS MOOT

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Upon consideration of the Defendants' Partial Motion to Dismiss [Doc. 8], plaintiff's response [Doc. 9] and plaintiff's Notice of Filing of Amended Complaint [Doc. 10], it is

ORDERED that Defendants' Partial Motion to Dismiss is denied as moot. It is

FURTHER ORDERED that plaintiff shall file a "clean" Amended Complaint on or before July 27, 2015.

DATED: July 21<sup>st</sup>, 2015

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge