

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 15-cv-00255-CMA-MJW

LAURA SAXTON and
DOUG SCHELLING, as the surviving parents of Kelsie Schelling, decedent,

Plaintiff,

v.

DONTHE LUCAS,
SARA LUCAS,
VIVIAN LUCAS,
DAWN SHAY LUCAS,
DETECTIVE NEAL ROBINSON, in his individual capacity,
SERGEANT KEN ESPINOZA, in his individual capacity,
DEPUTY POLICE CHIEF ANDREW McLACHLAN, in his individual capacity, and
CITY OF PUEBLO, COLORADO,

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 Adopting October 26, 2015 and November 23, 2015 Recommendations of United States Magistrate Judge of Judge Christine M. Arguello entered on February 26, 2016 it is

ORDERED that Plaintiff's Objections (Doc. #73) are OVERRULED. It is FURTHER ORDERED that the Recommendations of Magistrate Judge Watanabe (Docs. ## 65 and 70) are AFFIRMED and ADOPTED as an Order of this Court. Pursuant to those Recommendations, it is

FURTHER ORDERED that the Pueblo Defendants' Motion to Dismiss (Doc. # 38) is granted in part and denied in part. Specifically, Claims Two, Three, and Four are DISMISSED WITH PREJUDICE as against the Pueblo Defendants. It is

FURTHER ORDERED that the Lucas Defendants' Motions to Dismiss (Docs. ## 60, 62, 63, 64) are granted as to Claim Four against the Lucas Defendants, but denied as to Claim One. Accordingly, Claim Four is DISMISSED WITH PREJUDICE against the Lucas Defendants. It is

FURTHER ORDERED that because the Court will not exercise pendent jurisdiction over Plaintiffs' remaining state law claim, Claim One is hereby DISMISSED WITHOUT PREJUDICE. It is

FURTHER ORDERED that this case is hereby dismissed in its entirety. It is

FURTHER ORDERED that Defendants shall have their costs by the filing of a Bill of Costs with the Clerk of this Court within fourteen (14) days of entry of judgment, and pursuant to the procedures set forth in Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1

DATED: February 26, 2016

FOR THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ V. Barnes

V. Barnes
Deputy Clerk