

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 14-cv-03305-RPM

ANTHONY MARTINEZ,

Plaintiff,

v.

PATRICK BACKER,  
CHERYL HERRERA,  
MATTHEW MITCHELL and  
LA PLATA COUNTY, COLORADO,

Defendants.

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**ORDER OF CONSOLIDATION  
CIVIL ACTIONS 14-cv-03305-RPM and 15-cv-01993-RBJ**

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Upon the hearing held in this civil action on November 5, 2015 on the motion of the individual defendants to consolidate newly filed Civil Action No. 15-cv-01993-RBJ, Anthony Martinez v. Patrick Backer, Cheryl Herrera, Matthew Mitchell and/or The United States of America, the Court finds that

Both cases require a determination of the authority and status of officers Backer, Herrera, and Mitchell as defendants and that, in turn will determine whether the United States is liable for their conduct as tortious acts and whether they have immunity for the constitutional torts alleged against them in Civil Action 14-cv-03305-RPM.

It is ORDERED that Civil Actions 14-cv-03305-RPM and 15-cv-01993-RBJ are consolidated.

DATED: November 6, 2015

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge