

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

Civil Action No. 15-cv-2570-WJM-MEH

ESTATE OF MICHAEL HABAY, and
WILLIAM AND ELLEN HABAY, individually, and as Co-Representatives,

Plaintiffs,

v.

VINCENT GALLERANI, individually, and in his official capacity as an officer of the City of Boulder Colorado Police Department,
DAVID KICERA, individually, and in his official capacity as sergeant with the City of Boulder Colorado Police Department,
NICHOLAS SMETZER, individually, and in his official capacity as an officer with the City of Boulder Colorado Police Department,
RYAN LORD, individually, and in his official capacity as an officer of the City of Boulder Colorado Police Department,
IAN COMPTON, individually, and in his official capacity as an officer with the City of Boulder Colorado Police Department,
JENNIFER PADDOCK, individually, and in her official capacity as an officer with the City of Boulder Colorado Police Department,
STEVEN CAST, individually, and in his official capacity as an officer with the City of Boulder Colorado Police Department,
DAVID WILCOX, individually, and in his official capacity as an officer with the City of Boulder Colorado Police Department,
UNKNOWN OFFICERS AND EMPLOYEES OF THE BOULDER COLORADO POLICE DEPARTMENT, individually, in their official capacities as officers and employees with the City of Boulder Police Department; and
THE CITY OF BOULDER, COLORADO, a municipality,

Defendants.

**ORDER DISMISSING DEFENDANTS OFFICERS GALLERANI, KICERA,
SMETZER, LORD, COMPTON, PADDOCK, CAST AND WILCOX IN THEIR
INDIVIDUAL AND OFFICIAL CAPACITIES WITH PREJUDICE PURSUANT TO
FED. R. CIV. PRO. 41(a)(1)(A)(ii) AND AMENDING CAPTION**

This matter is before the Court on the parties' Stipulated Motion to Dismiss With Prejudice All Claims Against Defendants Gallerani, Kicera, Smetzer, Lord, Compton, Paddock, Cast and Wilcox in their individual capacities and Stipulated Motion to Amend Caption [Doc 34]. Based upon the parties' stipulation, the Motion is GRANTED and all claims against Defendants Gallerani, Kicera, Smetzer, Lord, Compton, Paddock, Cast and Wilcox in their individual and official capacities are hereby DISMISSED WITH PREJUDICE.

This action remains pending against the City of Boulder and, as such, it is hereby ORDERED that all future pleadings are amended to reflect the City of Boulder, Colorado, as the sole remaining Defendant in this action.

Dated this 12th day of April, 2016.

BY THE COURT:



William J. Martínez
United States District Judge