

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 14-cv-02231-RM-MEH

JONATHAN SHIELDS, *et al.*,

Plaintiffs,

v.

JENNIFER DUNCAN (personal and official capacities as Plaintiff's parole officer), *et al.*,

Defendants.

ORDER

This matter is before the Court on the parties' Joint Status Report, filed pursuant to this Court's Order of March 7, 2016 (ECF No. 176) directing the affected parties to address how to proceed as to severed claims. The "affected parties" are Defendants Matthew Sullivan and Miranda Kinnett ("Defendants") and Plaintiffs Christopher Clark and Ashley Clark ("Plaintiffs") (collectively, "Parties"). Upon consideration of the Report, the Court finds the Parties' proposal has merit and is in accord with Fed. R. Civ. P. 1 and 21. Accordingly, the Court **ORDERS** as follows:

- (1) The Clerk of the Court shall open a new case and assign a new case number for Plaintiffs' severed claims against Defendants (the "New Case");
- (2) In the New Case, the Plaintiffs shall be Christopher Clark and Ashley Clark and the Defendants shall be Matthew Sullivan and Miranda Kinnett;

- (3) The New Case shall be assigned to Judge Raymond P. Moore and Magistrate Judge Michael E. Hegarty;
- (4) The following documents from Civil Action No. 14-cv-02231-RM-MEH shall be docketed in the New Case, in the order listed:
- (a) This Order (ECF No. 186); and
 - (b) The Third Amended Complaint (“TAC”) (ECF No. 102), which shall be the operative complaint in the New Case, but construed as containing only Plaintiffs’ claims(s) against Defendants;
- (5) Defendants shall be deemed served on the date the New Case is opened, as they are waiving any service requirements, and the twenty-one (21) days to answer or otherwise respond to the TAC shall begin to run on that date; and
- (6) The names of Plaintiffs Christopher Clark and Ashley Clark and of Defendants Matthew Sullivan and Miranda Kinnett shall be removed from the caption of this case in all future filings with the court.

DATED this 22nd day of March, 2016.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Raymond P. Moore', written over a horizontal line.

RAYMOND P. MOORE
United States District Judge