



The court will dismiss Clayborne's claims against Judge Stacy and Pasold in their individual capacities because, for the reasons already discussed in the court's Memorandum and Order dated November 6, 2015, Clayborne's claims against them are barred under the doctrines of judicial immunity and prosecutorial immunity. (*See* Filing No. [16 at CM/ECF pp. 7-8.](#))

In addition, the court will dismiss Clayborne's claims against Eickholt brought under [42 U.S.C. § 1983](#). For the reasons discussed in the court's November 6 Memorandum and Order, Eickholt is not a state actor.

The court will also dismiss Clayborne's ADA claims. Congress enacted the ADA with the purpose of "provid[ing] a clear and comprehensive national mandate for the elimination of *discrimination* against individuals with disabilities." [42 U.S.C. § 12101\(b\)\(1\)](#) (emphasis added). Clayborne did not identify any provision of the ADA that would have required the judge, prosecutor, or his public defender to halt his criminal proceedings because they believed he suffered from a mental illness. Moreover, he presented no allegations to suggest any of the defendants subjected him to unlawful disability-based discrimination.

IT IS ORDERED that: This case is dismissed with prejudice. The court will enter judgment by a separate document.

DATED this 23<sup>rd</sup> day of February, 2016.

BY THE COURT:

*s/ Richard G. Kopf*

Senior United States District Judge