

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**MARIA FLORINDA LEYVA MOYA,**  
*Personal Representative in the Matter of the  
Estate of Daniel Leyva,*  
**Plaintiff,**

v.

**Civ. No. 16-916 SMV/GJF**

**BOARD OF COUNTY COMMISSIONERS ex rel.  
DONA ANA COUNTY, et al.,**

**Defendants.**

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO DISMISS  
WITH PREJUDICE THE THIRD AMENDED COMPLAINT AS TO  
ALL DEFENDANTS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(2)**

THIS MATTER came before the court upon Plaintiff's Unopposed Motion To Dismiss With Prejudice The Third Amended Complaint As To All Defendants Pursuant To Federal Rule Of Civil Procedure 41(A)(2). THE COURT, having been advised that Blaine T. Mynatt, counsel for Defendants Board Of County Commissioners ex rel. Dona Ana County, Dona Ana County Detention Center, Unknown Jail Officers And Employees, Agents, Contractors, Jointly And Severally, And John Does 1-20, and Henry J. Paoli, Counsel for Defendants Corizon Health Inc., Tamara Rush, RN., Janet Diaz, MHT, and Sergio Castillo, M.D, are unopposed to the motion, this court FINDS that the motion is well taken and should be granted;

IT IS THEREFORE THE ORDER OF THE COURT that Plaintiff's Unopposed Motion To Dismiss With Prejudice The Third Amended Complaint As To All Defendants Pursuant To Federal Rule Of Civil Procedure 41(A)(2) shall be and is hereby granted;

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendants Board Of County Commissioners Ex Rel. Dona Ana County, Dona Ana County Detention Center, Corizon Health Inc., Tamara Rush, RN., Janet Diaz, MHT, Sergio Castillo, M.D., And Unknown Jail Officers And Employees, Agents, Contractors, Jointly And Severally, And John Does 1-20, shall be and are hereby dismissed with prejudice as Defendants in this case.



STEPHAN M. VIDMAR  
U.S. Magistrate Judge

Submitted and Approved by:

/s/Jose R. Coronado

JOSE R. CORONADO  
119 N. Main Street  
Las Cruces, NM 88001  
(575) 525-2517  
(575) 525-2518 – Fax  
[Cjr1138@qwestoffice.net](mailto:Cjr1138@qwestoffice.net)

*Attorney for Plaintiff*

Approved by:

Unopposed

BLAINE T. MYNATT  
Holt Mynatt Martinez, P.C.  
1660 Hickory Loop  
Las Cruces, NM 88004  
(575) 524-8812  
Fax (575) 524-0726  
[btm@hmm-law.com](mailto:btm@hmm-law.com)

*Attorney for Defendants Board of County  
Commissioners ex rel., Dona Ana County,  
Dona Ana County Detention Center, Unknown  
Jail Officers And Employees, Agents, Contractors,  
Jointly And Severally, And John Does 1-20*

and

SCOTT HULSE, P.C.  
201 North Church Street, Suite 201  
Las Cruces, NM 88001  
(575) 522-0765  
575-522-0006 Facsimile  
or  
1100 Chase Tower  
201 E. Main Dr.  
El Paso, Texas 79901  
(915) 533-2493  
(915) 546-8333 Telecopier

Unopposed

JOSHUA DWYER  
NM State Bar No. 138077  
[jdwy@scotthulse.com](mailto:jdwy@scotthulse.com)  
HENRY J. PAOLI, Admitted pro hac vice  
Texas State Bar No. 240302926  
[hpao@scotthulse.com](mailto:hpao@scotthulse.com)

*Attorneys for Defendants Corizon Health, Inc.,  
Tamara Rush, RN., Janet Diaz, MHT, and Sergio  
Castillo, M.D.*