

DISTRICT COURT, LARIMER COUNTY, COLORADO Larimer County Justice Center 201 Laporte Avenue, Suite 100 Fort Collins, CO 80521-2761 (970) 498-6100	DATE FILED: April 29, 2020 11:10 AM FILING ID: B0CFBA6C3D1EA CASE NUMBER: 2020CV115
Plaintiff: STACY LYNNE v. Defendants: NOAH BEALS, CITY OF FORT COLLINS	COURT USE ONLY Case Number: 2020 CV 115 Courtroom: 3B
ORDER RE: DEFENDANT CITY OF FORT COLLINS' MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT	

This matter comes before the Court on Defendant City of Fort Collins' Motion to Dismiss Plaintiff's Amended Complaint, and the matter has been fully briefed by the Parties. The Court finds it lacks subject matter jurisdiction over the matter, and hereby dismisses the action pursuant to Colorado Rule 12(b)(1).

Under the Colorado Governmental Immunity Act ("CGIA"), a public entity such as the City is immune from liability for any claim arising in tort other than those claims specifically enumerated in C.R.S. §24-10-106. Here, Plaintiff has alleged no claims against the City, and thus has not asserted a claim under one of the enumerated exceptions. Furthermore, claims for libel and slander are not included in any of the enumerated exceptions to sovereign immunity. Accordingly, this Court lacks subject matter jurisdiction over Plaintiff's claims against the City, and it must be dismissed from the lawsuit pursuant to Rule 12(b)(1).

The Court thus GRANTS Defendants' motion, and dismisses Defendant City of Fort Collins from Plaintiff's Amended Complaint with prejudice.

DATED this ___ day of _____, 2020.

BY THE COURT:

 DISTRICT COURT JUDGE