

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 19, 2020

**Christopher M. Wolpert
Clerk of Court**

ADAM LOWTHER, on behalf of himself
and as next friend of minor children, W.L.
and A.L.; JESSICA LOWTHER, on behalf
of herself and as next friends to the minor
children, W.L. and A.L.,

Plaintiffs - Appellees,

v.

BERNALILLO COUNTY SHERIFF'S
DEPARTMENT; JACOB WOOTTON, in
his personal capacity acting under color of
state law; CATHERINE SMALLS, in her
personal capacity acting under color of
state law; BRIAN THORNTON, in his
personal capacity acting under color of
state law; MARTIN LOZANO, in his
personal capacity acting under color of
state law,

Defendants - Appellants,

and

CHILDREN YOUTH AND FAMILIES
DEPARTMENT; MARIA MORALES, in
her personal capacity acting under color of
state law,

Defendants.

No. 20-2092

(D.C. No. 1:18-CV-00868-KWR-JFR)

(D. N.M.)

ORDER

Appellants' motion to dismiss this matter is granted. *See* 10th Cir. R. 27.5(A)(9) and Fed. R. App. P. Rule 42(b). Each party to bear its own costs.

A copy of this order shall stand as and for the mandate of the court.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk