

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01005-RBJ-KMT

TROY ANDERSON,

Plaintiff,

v.

STATE OF COLORADO, DEPARTMENT OF CORRECTIONS,
SUSAN JONES, in her official capacity as warden of the Colorado State Penitentiary, and
ARISTEDES W. ZAVARAS, in his official capacity as the Executive Director of the Colorado
Department of Corrections,

Defendants.

FINAL JUDGMENT

PURSUANT to and in accordance with Fed. R. Civ. P. 58(a) and the Final Order and Judgment [#109], filed August 24, 2012, by the Honorable R. Brooke Jackson, United States District Judge, and incorporated herein by reference as if fully set forth, it is

ORDERED that final judgment is hereby entered in favor of the plaintiff and against defendants on plaintiff's Fourth Claim for Relief. The Court orders that within 60 days the CDOC must develop and present to plaintiff's counsel and the Court a plan that ensures that Troy Anderson has access for at least one hour, at least three times per week, to outdoor exercise in an area that is fully outside and that includes overhead access to the elements, e.g., to sunlight, rain, snow and wind, unless inclement weather or disciplinary needs make that impossible.

Plaintiff may file objections, if any, to the plan within 21 days of the Court's Order of August 24.

Defendants may reply within 14 days following plaintiff's submission of objections. It is further

ORDERED that defendants assign a CDOC physician to take a fresh look at Mr.

Anderson's medication and treatment needs as set forth in the Court's Order of August 24. With that exception, final judgment is hereby entered in favor of the defendants on plaintiff's Third Claim for Relief. It is further

ORDERED that final judgment is hereby entered in favor of the defendants on plaintiff's First Claim for Relief. It is further

ORDERED that final judgment is hereby entered in favor of the defendants on plaintiff's Fifth and Sixth Claims for Relief. It is further

ORDERED that Plaintiff's Second Claim for Relief has been withdrawn. It is further

ORDERED that the plaintiff is the overall prevailing party for purposes of costs and attorney's fees. Counsel are directed to confer and attempt in good faith to reach agreement on the amount of costs and attorney's fees. If agreement is not reached, then plaintiff will proceed in accord with the requirements of Fed. R. Civ. P. 54(d) and D.C.Colo.LCivR 54.1.

DATED at Denver, Colorado, this August 28th, 2012.

FOR THE COURT:

Gregory C. Langham, Clerk

By: s/ Edward Butler

Edward P. Butler

Deputy Clerk