

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Phillip S. Figa

Civil Action No. 05-cv-01661-PSF-CBS

RUSSELL M. BOLES,

Plaintiff,

v.

RICHARD DANSDILL;  
LT. CHARLES PEOPLES;  
TOM MALLARY;  
TIMOTHY CREANY;  
MICHAEL S. WALSH;  
GLORIA MASTERSON; and  
ANTHONY A. DECESARO,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

OCT 23 2006

GREGORY C. LANGHAM  
CLERK

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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THIS CAUSE came before the Court on the affidavit in support of the motion for leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915.

The Court has granted the plaintiff leave to proceed *in forma pauperis*. It now is

ORDERED that, if appropriate, the Clerk shall attempt to obtain a waiver of service from the defendants. If unable to do so, the United States Marshal shall serve a copy of the complaint, summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, and all other orders upon the defendants. If appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to F.R.Civ.P. 4(d).

All costs of service shall be advanced by the United States. It is

FURTHER ORDERED that the defendants or counsel for the defendants shall respond to the complaint as provided for in the Federal Rules of Civil Procedure after service of process on the defendants.

Dated: October 20, 2006

BY THE COURT:

*s/ Phillip S. Figa*

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UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 05-cv-01661-PSF-CBS

Russell M. Boles  
Prisoner No. 90379  
Sterling Correctional Facility  
PO Box 6000  
Sterling, CO 80751


Richard Dansdill, L.t Charles Peoples,  
Tom Mallary, Timothy Creany,  
Michael S. Walsh and Gloria Masterson - WAIVER\*  
c/o Cathie Holst  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

US Marshal Service  
Service Clerk  
Service forms for: Anthony A. Decesaro

John Suthers, Attorney General  
Office of the Attorney General  
**Courtesy Copy**  
**DELIVERED ELECTRONICALLY**

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to Cathie Holst for service of process on Richard Dansdill, L.t Charles Peoples, Tom Mallary, Timothy Creany, Michael S. Walsh and Gloria Masterson, and to the US Marshal Service for process on Anthony A. Decesaro: AMENDED COMPLAINT FILED 12/09/05, ORDER FILED 10/13/06, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 10/23/06

GREGORY C. LANGHAM, CLERK

By:   
Deputy Clerk