

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADOFILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

Civil Action No.

**06 - CV - 00678 - BNB**

APR 11 2006

(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

GREGORY C. LANGHAM  
CLERK

JEFFREY D. GONYEA,

Plaintiff,

v.

JANENE McCABE, (Deputy Public Defender State of Colorado), individually and in her official capacity,

DAVID KAPLAN, (Public Defender State of Colorado), individually and in his official capacity, and

JUDGE TIMMOTHY FASING, (Honorable Judge in the 18<sup>th</sup> Judicial District County of Arapahoe), individually and in his official capacity,

Defendants.

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**ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION**

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Plaintiff Jeffrey D. Gonyea has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Prisoner Complaint. The documents are in proper form. Therefore, the clerk of the court will be directed to commence a civil action. Plaintiff also has tendered the \$250.00 filing fee.

Therefore, the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 will be denied as moot. The clerk of the court will be directed to mail to the Plaintiff, together with a copy of this order, a receipt for full payment of the \$250.00 filing fee. Accordingly, it is

ORDERED that the clerk of the court commence this civil action. It is

FURTHER ORDERED that the clerk of the court mail to the Plaintiff, together with a copy of this order, a receipt for full payment of the \$250.00 filing fee. It is

FURTHER ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 shall be denied as moot. It is

FURTHER ORDERED that process shall not issue until further order of the court.

DATED at Denver, Colorado, this 10<sup>th</sup> day of April, 2006.

BY THE COURT:

  
\_\_\_\_\_  
BOYD N. BOLAND  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. **06 - CV - 00678** - BNB

Jeffrey D. Gonyea  
Prisoner No. 04-0009821  
Arapahoe County Jail  
P.O. Box 4918  
Englewood, CO 80155

I hereby certify that I have mailed a copy of the **ORDER and a receipt for full payment of the filing fee** to the above-named individuals on 4-11-06

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk