

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

**AMENDED CERTIFICATE OF MAILING FOR DOCUMENT 165
SECOND ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

Civil Action No. 06-cv-00759-LTB-CBS

Michael Whittington
Prisoner No. 98082
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

US Marshal Service
Service Clerk
Service forms for: Don Lawson and Faye Harding

James Xavier Quinn
Assistant Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to The United States Marshal Service for service of process on Don Lawson, and Faye Harding: SECOND AMENDED COMPLAINT FILED 3/31/09, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 4/23/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-00759-LTB-CBS

MICHAEL WHITINGTON,
Plaintiff,

v.

DON LAWSON,
AL ESTEP,
SGT. HARDING,
SGT. OLSEN,
C/O BARNES,
LT. JOHN CORDOVA,
LT. ADELMAN,
SGT. KAUFFMAN,
LT. LUCERO-CANNON,
SGT. HUFF, and
ARISTEDES ZAVARAS,
Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 16 2009

GREGORY C. LANGHAM
CLERK

SECOND ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

Magistrate Judge Craig B. Shaffer

This civil action comes before the court for personal service of the Second Amended Prisoner Complaint (doc. # 161). Mr. Whittington is currently incarcerated and is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915. (See April 20, 2006 "Order . . . Granting Plaintiff Leave to Proceed Pursuant to 28 U.S.C. § 1915 Without Payment of an Initial Partial Filing Fee" (doc. # 2)). The Second Amended Complaint asserts claims against four additional Defendants. Accordingly, IT IS ORDERED that:

1. The Clerk of the Court shall attempt to obtain a waiver of service from Defendants Don Lawson, Sgt. Kauffman, and Lt. Lucero-Cannon at San Carlos Correctional Facility, P.O. Box 3, Pueblo, CO 81002 and Sgt. Harding at Limon Correctional Facility, 49030 Hwy. 71, Limon, CO 80826.

2. If a waiver of service cannot be obtained by the Clerk, the United States Marshal shall serve a copy of the Second Amended Prisoner Complaint (doc. # 161) and

summons upon Defendants Don Lawson, Sgt. Kauffman, Lt. Lucero-Cannon, and Sgt. Harding. Where appropriate, the Marshal shall first attempt to obtain a waiver of service pursuant to Fed. R. Civ. P. 4(d). All costs of service shall be advanced by the United States.

3. After service of process on them, Defendants Don Lawson, Sgt. Kauffman, Lt. Lucero-Cannon, and Sgt. Harding shall respond to the Second Amended Prisoner Complaint (doc. # 161) as provided in the Federal Rules of Civil Procedure.

DATED at Denver, Colorado, this 16th day of April, 2009.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 06-cv-00759-LTB-CBS

Michael Whittington
Prisoner No. 98082
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Don Lawson, Sgt. Kauffman,
Lt. Lucero-Cannon and Sgt. Harding - **WAIVER***
c/o Cathie Holst
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

James Xavier Quinn
Assistant Attorney General
Office of the Attorney General
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 Host for service of process on Don Lawson, Sgt. Kauffman, Lt. Lucero-Cannon and Sgt. Harding: SECOND AMENDED COMPLAINT FILED 3/31/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 4/16/09.

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk