

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

APR - 5 2007

GREGORY C. LANGHAM
CLERK

Civil Action No. 07 - CV - 00685 - BNG

(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.)

JUSTIN JOSEPH RUEB,

Applicant,

v.

CALIFORNIA DEPT. OF CORRECTIONS, LARRY REID (Warden), and THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA,

Respondents.

ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION

Applicant Justin Joseph Rueb has submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, a Motion for a Temporary Restraining Order and Preliminary Injunction, an Order to Show Cause and TRO, an Memorandum of Law in Support of Motion for a TRO and Preliminary Injunction, and an Affidavit of Justin Rueb, in Support of Habeas Corpus Petition. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted documents are in proper form. Applicant also has tendered the \$5.00 filing fee.

Therefore, the clerk of the court will be directed to commence a civil action. 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 applicant, together with a copy of this order, a receipt for full payment of the \$5.00 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 applicant, together with a copy of this order, a receipt for full payment of the \$5.00 filing fee. It is

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

DATED at Denver, Colorado, this 4th day of April, 2007.

BY THE COURT:

Boyd N. Boland
BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. **07-CV-00685-BNB**

Justin Joseph Rueb
Prisoner No. 94567
CSP – Unit C6-113
P.O. Box 777
Canon City, CO 81215-0777

I hereby certify that I have mailed a copy of the **ORDER and a copy of the receipt for full payment of the \$5.00 filing fee** to the above-named individuals on 4/5/07.

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk