

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

APR - 5 2007

GREGORY C. LANGHAM  
CLERK**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. **07 - CV - 00685 - bnb**  
(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.

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**ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION**

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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 4<sup>th</sup> 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