

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-01408-BNB

EDGAR PEÑA ORTEGA,
ANASTACIO VALDEZ,
ROSA MEDINA,
GUILLERMO OROZCO, and
ISMAEL ROMANO RIVERA,

Plaintiffs,

v.

FRANCISCO SAENZ, d/b/a SAENZ CONTRACTING,
HULTEEN ORCHARDS, INC., a Colorado corporation, and
MOUNTAIN FRESH L.L.C., a Colorado corporation,

Defendants.

ORDER GRANTING PLAINTIFFS LEAVE TO PROCEED
PURSUANT TO 28 U.S.C. § 1915

Plaintiffs, Edgar Peña Ortega, Anastacio Valdez, Rosa Medina, Guillermo Orozco, and Ismael Romano Rivera, have filed *pro se* individual motions and affidavits for leave to proceed pursuant to 28 U.S.C. § 1915 and a complaint. The motions and affidavits indicate that Plaintiffs should be granted leave to proceed pursuant to § 1915 solely on the basis of inability to prepay fees or give security therefor.

The motion submitted to and filed with the Court on July 6, 2007, in which counsel notified the Court that each Plaintiff did in fact submit a properly signed 28 U.S.C. § 1915 motion, will be granted. To the extent the July 5, 2007, order directed Plaintiffs to cure deficiencies in their 28 U.S.C. § 1915 motions, the order will be vacated. Accordingly it is

ORDERED that the motions and affidavits for leave to proceed pursuant to 28 U.S.C. § 1915 are granted. It is

FURTHER ORDERED that the motion submitted to and filed with the Court on July 6, 2007, in which counsel notified the Court that each Plaintiff did in fact submit a properly signed 28 U.S.C. § 1915 motion, is granted. It is

FURTHER ORDERED that to the extent the July 5, 2007, order directed Plaintiffs to cure deficiencies in their 28 U.S.C. § 1915 motions, the order is vacated. It is

FURTHER ORDERED that the Court review the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine if the complaint is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. It is

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

DATED July 10, 2007, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge