

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 07-cv-01856-MSK-KMT

RICHARD J. LYNN,

Applicant,

v.

R. WILEY,

Respondent.

ORDER

This matter is before the court on the “Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241” filed September 5, 2007, by Richard J. Lynn (“Applicant”). Upon review of the briefs submitted by the parties, I find that a factual dispute exists regarding whether, at a disciplinary hearing held on May 17, 2006, Applicant was afforded the opportunity to call witnesses. Accordingly,

IT IS ORDERED that an evidentiary hearing is set for **Wednesday, April 8, 2009, from 9:00 a.m. to 12:00 p.m.**, in Courtroom C-201, Second Floor, of the Byron Rogers U.S. Courthouse, 1929 Stout Street, Denver, Colorado. It is further

ORDERED that Applicant, or his case manager, shall arrange for his participation via telephone and shall call (303) 335-2780 at the scheduled time. It is further

ORDERED that Respondent shall ensure the attendance of at least, but not limited to, Case Manager J. Boley and Counselor B. Shank, in person, at the hearing. It is further

ORDERED that the parties shall provide to the court, by April 3, 2009, a proposed witness list, exhibit list, an original and two copies of all exhibits, and a hearing brief, if necessary.

Dated this 19th day of March, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Kathleen M. Tafoya', written in a cursive style.

Kathleen M. Tafoya
United States Magistrate Judge