

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT****September 22, 2009****Elisabeth A. Shumaker**  
**Clerk of Court**

In re: GARY DEWILLIAMS,

Petitioner.

No. 09-1387  
(D.C. No. 1:07-CV-02513-REB-MJW)  
(D. Colo.)**ORDER**Before **KELLY, HARTZ, and O'BRIEN**, Circuit Judges.

Gary deWilliams has filed a petition for a writ of mandamus, requesting that this court direct the district court to hear and decide his pending 28 U.S.C. § 2241 habeas case. The district-court case was filed on November 29, 2007, and it was at issue in September 2008. Since then, the district court has received and resolved several supplemental filings and motions. On September 15, 2009, the magistrate judge entered a report and recommendation. Accordingly, this case is proceeding toward judgment in the district court. The mandamus petition is

DENIED. The motion to proceed without prepayment of fees and costs is  
GRANTED.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker". The signature is written in black ink and includes a long, sweeping horizontal flourish at the end.

ELISABETH A. SHUMAKER, Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

September 22, 2009

Douglas E. Cressler  
Chief Deputy Clerk

Gary Dewilliams  
FCI - Englewood  
9595 West Quincy Avenue  
Littleton, CO 80123  
#20666-013

**RE: 09-1387, In re: Gary DeWilliams**  
Dist/Ag docket: 1:07-CV-02513-REB-MJW

Dear DeWilliams:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: Michael Conrad Johnson

EAS/jm