

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 08-cv-00146-MSK

WENDELL DEGREE,

Applicant,

v.

KEVIN MILYARD, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

ORDER FOR STATE COURT RECORD

Applicant Wendell Degree, a prisoner in the custody of the Colorado Department of Corrections at the Sterling Correctional Facility in Sterling, Colorado, has filed an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254. Respondents have filed an answer.

I find that the state court record may be necessary for the resolution of this action.

Accordingly, it is

ORDERED that on or before **May 1, 2009**, the Clerk of the Combined Court for El Paso County shall provide to this Court the original written record of El Paso District Court Case No. 03CR415, *People v. Degree*. It is

FURTHER ORDERED that the Clerk of the Court shall serve a copy of this Order on the Clerk of the Combined Court for El Paso County by facsimile to (719) 448-7650 and by regular mail to Clerk of the Combined Court, P.O. Box 2980, Colorado Springs, Colorado 80901-2980.

DATED this 1st day of April, 2009.

BY THE COURT:

Marcia S. Krieger

Marcia S. Krieger
United States District Judge