

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-00737-MSK-KLM

KEITH PARKER,

Plaintiff,

v.

MR. ARELLANO,  
CAPTAIN HALL,  
MR. LEONARD VIGIL,  
MR. DAVID M. ZUPAN,  
MRS. D. WEBSTER,  
LT. MCCORMICK,  
MR. ENREQUIZ,  
LT. PIPER,  
MRS. SUSAN JONES,  
MRS. JILL HOGGARTH,  
MR. DR. [sic] MCHAUD, and  
LT. ROBERT STEINBECK,

Defendant(s).

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

FEB 26 2009

GREGORY C. LANGHAM  
CLERK

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on the affidavit in support of the motion for leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915. Magistrate Judge Boyd N. Boland granted Plaintiff leave to proceed *in forma pauperis* [Docket No. 5]. Since the filing of the initial complaint, Plaintiff has been given leave to file an amended complaint [Docket No. 123] which names new parties as Defendants.

IT IS HEREBY **ORDERED** that, if appropriate, the Clerk shall attempt to obtain waivers of service from Defendants Mr. Arellano, Captain Hall, Mr. Leonard Vigil, Mr. David M. Zupan, Mrs. D. Webster, Lt. McCormick, Mr. Enrequiz, Lt. Piper, Mrs. Susan Jones, Mrs. Jill Hoggarth, Mr. Dr. [sic] Michaud, and Lt. Robert Steinbeck, who were added as Defendants by the Final Amended Complaint [Docket No. 124].<sup>1</sup> If the Clerk is unable to

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<sup>1</sup> An Order Granting Service [Docket No. 24] was previously issued, and waivers of service were executed for previously-named Defendants [Docket No. 25]. Those Defendants have now been terminated by the filing of Plaintiff's Final Amended Complaint [Docket No. 124].

obtain waivers of service from these Defendants, the United States Marshal shall serve a copy of the Final Amended Complaint, summons, and order granting leave to proceed pursuant to 28 U.S.C. § 1915 upon Defendants. If appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d). All costs of service shall be advanced by the United States.

IT IS FURTHER **ORDERED** that Defendants Mr. Arellano, Captain Hall, Mr. Leonard Vigil, Mr. David M. Zupan, Mrs. D. Webster, Lt. McCormick, Mr. Enrequiz, Lt. Piper, Mrs. Susan Jones, Mrs. Jill Hoggarth, Mr. Dr. [sic] Michaud, and Lt. Robert Steinbeck or their counsel shall respond to the Final Amended Complaint [Docket No. 124] within **ten (10) days** from the date of personal service or waiver of service.

Dated: February 25, 2009

By the Court:

/s Kristen L. Mix  
U.S. Magistrate Judge  
Kristen L. Mix

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 08-cv-00737-MSK-KLM

Keith Parker  
Prisoner No. 101464  
Centennial Correctional Facility  
PO Box 600  
Cañon City, CO 81215- 0600

Mr. Arellano, Captain Hall, Mr. Leonard Vigil,  
Mr. Daivd M. Zupan, Mrs. D. Webster, Lt. McCormick,  
Mr. Enrequiz, Lt. Piper, Mrs. Susan Jones,  
Mrs. Jill Hoggarth, Mr. Dr. Michaud and Lt. Robert Steinbeck- **WAIVER\***  
c/o Cathie Holst  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

James Xavier Quinn  
Assistant Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**

John Suthers, Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to Cathie Holst for service of process on Mr. Arellano, Captain Hall, Mr. Leonard Vigil, Mr. Daivd M. Zupan, Mrs. D. Webster, Lt. McCormick, Mr. Enrequiz, Lt. Piper, Mrs. Susan Jones, Mrs. Jill Hoggarth, Mr. Dr. Michaud and Lt. Robert Steinbeck: AMENDED COMPLAINT FILED 2/24/09, WAIVER\* SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 2/26/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk