

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

Civil Action No. 08-cv-01053-REB-KMT

STANLEY E. JONES,

Plaintiff,

v.

TWO UNKNOWN DOC GUARDS, a/k/a  
SGT. T. COOK and  
JAMES KELLER

Defendants.

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

DEC 18 2009

**GREGORY C. LANGHAM**  
CLERK

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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On November, 20, 2009, this court granted Plaintiff's motion to amend the caption to reflect the name of a previously unknown defendant and to have the new defendant, James Keller, served by the United States Marshal Service. Accordingly, as the plaintiff is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915, it now is

ORDERED that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendant James Keller. If unable to do so, the United States Marshal shall serve a copy of the complaint, summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, and all other orders upon the defendant. 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 the defendant or counsel for the defendant shall respond to the complaint as provided for in the Federal Rules of Civil Procedure after service of process on the defendant.

Dated this 18th day of December, 2009.

**BY THE COURT:**



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Kathleen M. Tafoya  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 08-cv-01053-REB-KMT

Stanley E. Jones  
Prisoner No. 103331  
Limon Correctional Facility  
49030 State Hwy. 71  
Limon, CO 80826

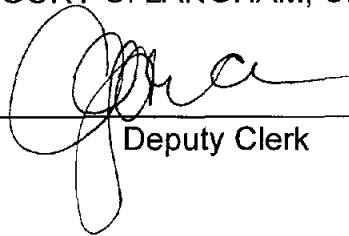
James Keller - **WAIVER\***  
c/o Keith Nordell  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

Robert C. Huss  
Assistant 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 James Keller: COMPLAINT FILED 05/20/08, RENEWED MOTION TO AMEND CAPTION FILED 11/17/09, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 12/19/09.

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_



Deputy Clerk