

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01479-REB-MJW

WILLIAM J. HUNSAKER, JR.,

Plaintiff,

v.

JAMES JIMERSON, et al.,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

SEP 10 2009

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING SERVICE UPON DEFENDANT KEVIN MILYARD

Entered by U.S. Magistrate Judge Michael J. Watanabe

Based upon an Order on Plaintiff's Motion for Leave to Amend Amended Complaint and to Join Additional Party (Docket No. 36), it is hereby

ORDERED that if appropriate, the Clerk of Court shall attempt to obtain a waiver of service from defendant Milyard. If unable to do so, the United States Marshal shall serve a copy of the Third Amended Complaint and summons upon defendant Kevin Milyard. **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 defendant Kevin Milyard or his counsel shall respond to the Amended Complaint as provided for in the Federal Rules of Civil Procedure after service of process.

Date: September 10, 2009
Denver, Colorado

s/Michael J. Watanabe
Michael J. Watanabe
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 08-cv-01479-REB-MJW

William J. Hunsaker
Prisoner No. 132799
Fremont Correctional Facility
PO Box 999
Cañon City, CO 81215- 0999

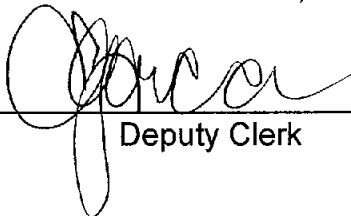
Kevin Milyard – WAIVER*
c/o Cathie Holst
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

James X. Quinn
Assistant Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY

Paul Sanzo, Asst. Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY
COURTESY COPY

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 Kevin Milyard; THIRD AMENDED COMPLAINT FILED 8/17/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 9/10/09.

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk