

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01586-LTB-MEH

DANNY O. DANIELS,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS,
PHILLIP TEDESCI, in his individual and official capacities,
ARISTEDES ZAVARAS, in his official capacity,
JAMES MICHAUD, in his official capacity, and
BURL MCCULLAR, in his individual and official capacities,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAY 15 2009

GREGORY C. LANGHAM
CLERK

ORDER GRANTING SERVICE

Michael E. Hegarty, United States Magistrate Judge.

THIS CAUSE came 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. The District Court has granted the Plaintiff leave to proceed *in forma pauperis*. It now is

ORDERED that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendant Phillip Tedesci, whose current address is 4101 E. Louisiana Suite #500, Denver, Colorado 80246 [see docket #80]. 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 Defendant Tedesci or his counsel shall respond to the complaint

as provided for in the Federal Rules of Civil Procedure after service of process on the Defendant.

Dated this 14th day of May, 2009 in Denver, Colorado.

BY THE COURT:

s/Michael E. Hegarty
Michael E. Hegarty
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 08-cv-01586-LTB-MEH


Danny O. Daniels
Prisoner No. 138191
Bent County Correctional Facility
11560 Road FF.75
Las Animas, CO 81054-9573

US Marshal Service
Service Clerk
Service forms for: Phillip Tedesci

NicoleS. Gellar
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 the United States Marshal Service for service of process on Phillip Tedesci; SECOND AMENDED COMPLAINT FILED 09/05/08, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 9/19/09

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk