

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02164-BNB

LEO SIMMONS,

Applicant,

v.

ARI ZAVARAS, Executive Director,  
BOB KURTZ, Warden,

Respondents.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUL 02 2009

GREGORY C. LANGHAM  
CLERK

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ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915

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Applicant has filed a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus. The Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action will be granted. Accordingly, it is

ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action is granted. It is

FURTHER ORDERED that process shall not issue until further order of the court.

DATED at Denver, Colorado, this 2<sup>nd</sup> day of July, 2009.

BY THE COURT:

s/Craig B. Shaffer

Craig B. Shaffer  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 08-cv-02164-BNB

Leo Simmons  
Prisoner No. 62094  
Kit Carson Corr. Center  
PO Box 2000  
Burlington, CO 80807

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 7/2/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk