

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02209-REB-MJW

TROY A. SHORT,

Plaintiff,

v.

CAPTAIN A. J. TRUJILLO, et al.,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

AUG 19 2009

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING SERVICE UPON DEFENDANT SHAD DRAPER

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

In view of Judge Blackburn's Order Adopting Recommendations of the United States Magistrate Judge issued on August 10, 2009 (Docket No. 70), it is hereby

ORDERED that if appropriate, the Clerk shall attempt to obtain a waiver of service from newly-added defendant Sgt. Shad Draper at Fort Lyon Correctional Facility, 30999 County Line Road 15, P.O. Box 1000, Ft. Lyon, CO 81038. If unable to do so, the United States Marshal shall serve a copy of the Amended Complaint (Docket No. 71) and summons upon defendant Draper. 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 Draper or his counsel shall respond to the Amended Complaint (Docket No. 71) as provided for in the Federal Rules of Civil Procedure after service of process on the defendant.

Date: August 19, 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-02209-REB-MJW

Troy A. Short
Prisoner No. 134487
Fort Lyont Corr. Facility
PO Box 1000
Fort Lyon, CO 81038

Sgt. Shad Draper – WAIVER*
c/o Cathie Holst
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

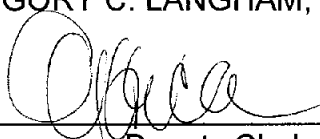
Chris W. Alber
Assistant Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY

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 Shad Draper; COMPLAINT FILED 10/10/08, AMENDED COMPLAINT FILED 8/17/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 8/19/09.

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk