

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02505-PAB-CBS

CASEY BERNARD RODRIGUEZ,
Plaintiff,

v.

WILEY,
DR. ALLRED,
DR. NAFZINGER,
HSA BAUER,
HSA SMITH (ASST),
G. RAMIREZ,
UNIT MNGR. COLLINS,
NURSE GLADBACH, and
LT. JANSON,
Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 12 2009

GREGORY C. LANGHAM
CLERK

ORDER GRANTING SERVICE OF AMENDED COMPLAINT
BY UNITED STATES MARSHAL

Magistrate Judge Craig B. Shaffer

This civil action is before the court for service of the Amended Prisoner Complaint (doc. # 58) on Defendants Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith (Asst), and Lt. Janson at the addresses provided to the court by Plaintiff on June 1, 2009. (See doc. # 58). Pursuant to the Order of Reference dated November 12, 2008 (doc. # 9), this case was referred to the Magistrate Judge to, *inter alia*, “[h]ear and determine pretrial matters” On November 19, 2008, the court granted Plaintiff Mr. Rodriguez leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (See doc. # 2). It is now

ORDERED that, if appropriate, the Clerk of the Court shall attempt to obtain a waiver of service from Defendants Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith (Asst), and Lt.

Janson at USP Florence Admax, U.S. Penitentiary, P.O. Box 8500, Florence, CO 81226.¹ If the Clerk is unable to do so, the United States Marshal shall serve a copy of the Amended Prisoner Complaint (doc. # 58) and summons upon Defendants Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith (Asst), and Lt. Janson. 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 after service of process, Defendants Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith (Asst), and Lt. Janson shall respond to the Amended Prisoner Complaint as provided for in the Federal Rules of Civil Procedure.

DATED at Denver, Colorado, this 11th day of June, 2009.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge

¹ The court's records reflect that Defendants Collins and Ramirez were served by the U.S. Marshal through Theresa Montoya at "BOP Legal." (See docs. # 19 and # 22). Defendants Wiley and Gladbach have filed an Answer. (See doc. # 55).

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 08-cv-02505-PAB-CBS

Casey Bernard Rodriguez
Reg. No. 08561-097
ADX - Florence
PO Box 8500
Florence, CO 81226

US Marshal Service
Service Clerk
Service forms for: Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith, and Lt. Janson,

United States Attorney General - **CERTIFIED**
Room 5111, Main Justice Bldg.
10th and Constitution, N.W.
Washington, D.C. 20530

United States Attorney
District of Colorado
DELIVERED ELECTRONICALLY

Terry Fox
Assistant United State Attorney
United States Attorney's Office
District of Colorado
DELIVERED ELECTRONICALLY

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to U.S. Marshal Service for service of process on Dr. Allred, Dr. Nafzinger, HSA Bauer, HSA Smith, and Lt. Janson; to The United States Attorney General; and to the United States Attorney's Office: AMENDED COMPLAINT FILED 6/01/09, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 6/12/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk