

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02612-WYD-MEH

JAMES K. CONKLETON,

Plaintiff,

v.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 17 2009

GREGORY C. LANGHAM
CLERK

ARISTEDES W. ZAVARAS, in his official capacity as Executive Director of the Colorado Dept. of Corrections ("CDOC"),
JOE STOMMEL, in his official capacity as the Program Administrator of the Sex Offender Treatment and Monitoring Program ("SOTMP") for the CDOC,
JOHN P. MCGILL, in his individual and official capacities as a Treatment Provider for the SOTMP,
BONNIE CANTU, in her individual and official capacities as Treatment Provider for the SOTMP,
JAMES LANDER, in his individual and official capacities as Treatment Provider for the SOTMP,
ED MURO, in his individual and official capacities as a Correctional Officer I for the CDOC,
RICHARD DeGROOT, in his individual and official capacities as a Case Manager for the CDOC,
CATHIE HOST, in her official capacity as Manager for the Office of Correctional Legal Services for the CDOC,
THOMAS MISEL, in his individual and official capacities as Case Manager for the CDOC,
AL ESTEP, in his official capacity as the Warden of the CDOC's Fremont Corr. Facility,
and
RICHARD LIND, in his individual and official capacity as a Correctional Officer V,

Defendants.

ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

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 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 the defendants. 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 defendants. 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 the defendants or counsel for the defendants shall respond to the complaint as provided for in the Federal Rules of Civil Procedure after service of process on the defendants.

Dated: March 16, 2009

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel
Chief United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 08-cv-02612-WYD-MEH

James K. Conkleton
Prisoner No. 108986
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Aristedes Zavaras, Joe Stommel, John P. McGill,
Bonnie Cantu, James Lander, Ed Muro,
Richard DeGroot, Cathie Holst, Tomas Misel,
Al Estep and Richard Lind – **WAIVER***
c/o Cathie Holst
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

John Suthers, 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 Aristedes Zavaras, Joe Stommel, John P. McGill, Bonnie Cantu, James Lander, Ed Muro, Richard DeGroot, Cathie Holst, Tomas Misel, Al Estep and Richard Lind : AMENDED COMPLAINT FILED 3/02/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 3/17/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk