

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 8 - 2009

GREGORY C. LANGHAM
CLERK

Civil Action No. 08-cv-02654-REB-KMT

ALEX MEDINA,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS, and
MARGARET HEIL, in her individual and official capacity,

Defendants.

ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL

Blackburn, J.

This matter is 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*.

THEREFORE, IT IS ORDERED as follows:

1. That if appropriate, the Clerk shall attempt to obtain a waiver of service from each of the defendants;
2. That if the Clerk is unable to do so, then 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 on each of the defendants; provided, furthermore, that if appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d);
3. That all costs of service shall be advanced by the United States; and

4. That after service of process, any defendant or counsel for any defendant having been served shall respond to the complaint as provided in the Federal Rules of Civil Procedure.

Dated January 7, 2009, at Denver, Colorado.

BY THE COURT:

s/ Robert E. Blackburn
Robert E. Blackburn
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 08-cv-02654-REB-KMT

Alex Medina
Doc No. 46581

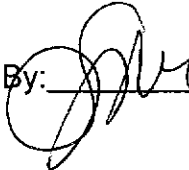
~~Kit Carson Corr. Center~~
PO Box 2000
Burlington, CO 80807

Colorado Department of Corrections and Margaret Heil - **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
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 Colorado Department of Corrections and Margaret Heil and to John Suthers: COMPLAINT FILED 12/08/08, WAIVER* SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 1/8/09.

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk