

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 09-cv-00105-PAB-BNB

MAR 12 2009

ERIC MARSHALL,

GREGORY C. LANGHAM
CLERK

Plaintiff,

v.

KEVIN ESTEP, Warden/Director (CMRC),
JOHN DOE, Supervisor (AM) Segregation Unit (CMRC), and
JOHN DOE, Supervisor (PM) Segregation Unit (CMRC),

Defendants.

ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

THIS CASE 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 11, 2009.

BY THE COURT:

s/Philip A. Brimmer _____
PHILIP A. BRIMMER
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-00105-PAB-BNB

Eric Marshall
Prisoner No. 83492
Buena Vista Corr. Facility
PO Box 2017
Buena Vista, CO 81211

Kevin Estep – **WAIVER***
c/o Cathie Holst
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

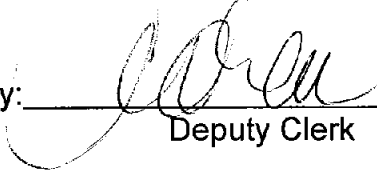
John Suthers, Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY
COURTESY COPY

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 Kevin Estep: AMENDED COMPLAINT FILED 2/27/09, ORDER FILED 3/10/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 3/12/09.

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk