

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00757-MSK-CBS

ERIC HUMES,
Applicant,
v.

WARDEN MIKE ARELLANO, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,
Respondents.

ORDER TO FORWARD ALL RECORDS AND TRANSCRIPTS

Magistrate Judge Craig B. Shaffer

This civil action is before the court on Mr. Humes' Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 ("Petition") (filed April 3, 2009) (doc. # 2). Pursuant to the Order of Reference dated August 10, 2009 (doc. # 12), this civil action was referred to the Magistrate Judge to "review the merits and to issue proposed findings of fact and recommendations for disposition." After reviewing the Petition and Respondents' Answer (filed October 15, 2009) (doc. # 24), the court determines that the state court record would assist the court in resolving this matter. Accordingly, pursuant to Rule 5(c) of the Rules Governing Section 2254 Cases in the United States District Courts, IT IS ORDERED that:

1. The Clerk of the Court for the Denver District Court, as the lawful custodian of the records, shall forward all records and transcripts of the state court proceedings in ***People v. Humes***, Denver District Court **Case No. 2004CR000088**, to the Clerk of the Court for the United States District Court for the District of Colorado, 901 Nineteenth Street, Room 105, Denver, Colorado, 80294-3589 **on or before**

November 16, 2009.

2. The Clerk of the Court for the United States District Court for the District of Colorado shall deliver a copy of this Order to the Clerk of the Court for the City and

County of Denver at: Denver City and County Building
 1437 Bannock St., Room 256
 Denver CO. 80202

DATED at Denver, Colorado, this 15th day of October, 2009.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge