

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00758-REB-CBS

CLAIR LLOYD BEAZER,
Applicant,
v.

WARDEN SUSAN JONES OF COLORADO STATE PENITENTIARY, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO, JOHN SUTHERS,
Respondents.

ORDER TO FORWARD ALL RECORDS AND TRANSCRIPTS

Magistrate Judge Craig B. Shaffer

This civil action is before the court on Mr. Beazer's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 ("Petition") (filed April 3, 2009) (doc. # 1). Pursuant to the Order of Reference dated July 9, 2009 (doc. # 13), this civil action was referred to the Magistrate Judge to, *inter alia*, "[h]ear and determine pretrial matters, including discovery and other non-dispositive motions . . . and submit proposed findings of fact and recommendations for rulings on dispositive motions." After reviewing the Petition and Respondents' Answer (filed August 31, 2009) (doc. # 23), 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 Park County, as the lawful custodian of the records, shall forward all records and transcripts of the state court proceedings in ***People v. Beazer***, Park County District Court **Case No. 03CR25**, 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 October 1, 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 Park County District Court, P.O. Box 190, Fairplay, CO. 80440.

DATED at Denver, Colorado, this 1st day of September, 2009.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge