

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00810-WYD-MJW

DANIEL JAMES VIGIL,

Plaintiff,

v.

BLAKE McCLELLAN, Mesa County Deputy Sheriff, individual capacity,
CHAD SEARCY, Mesa County Deputy Sheriff, individual capacity,
MIKE ROBERTS, Mesa County Deputy Sheriff, individual capacity,
JOHN BROWNLEE, Mesa County Deputy Sheriff, individual capacity,
MELINDA SCHUBERT, Mesa County Deputy Sheriff, individual capacity, and
JOHN DOE, Mesa County Deputy Sheriff, individual capacity,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
APR 24 2009
GREGORY C. LANGHAM
CLERK

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

Dated: April 24, 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. 09-cv-00810-WYD-MJW

Daniel James Vigil
Prisoner No. 89058
Limon Correctional Facility
49030 State Hwy. 71
Limon, CO 80826

US Marshal Service
Service Clerk
Service forms for: Blake McClellan, Chad Searcy, Mike Roberts,
John Brownlee, and Melinda Schubert

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to the United States Marshal Service for service of process on Blake McClellan, Chad Searcy, Mike Roberts, John Brownlee, and Melinda Schubert: COMPLAINT FILED 4/09/09, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 4/24/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk