

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 09-cv-01051-ZLW-KMT

NOV 20 2009

JOHN NASIOUS #98775,

GREGORY C. LANGHAM
CLERK

Plaintiff,

v.

STATE OF COLORADO - OFFICE OF THE GOVERNOR BILL RITTER,
NURSE MARTHA MUELLER, Physician Health Partners,
DR. BARRY GOLDSMITH, Physician Health Partners,
PAULA FRANTZ, M.D., C.M.O., Colorado Dept. of Corrections,
STEPHEN KREIBS, M.D., Physician Health Partners Agent of Record,
P.A, BRIAN WEBSTER, Physician Health Partners,
P.A. TEJENDER SINGH, Physician Health Partners,
ARISTEDES ZAVARAS, Executive Director, CDOC,
JOSEPH GARY FORTUNADO, D.O., Physician Health Partners,
P.A. JOANN STOCK, Physician Health Partners,
NURSE NANCY WHITE, Physician Health Partners,
JOSEPH J. WERMERS, Colorado Dept. of Corrections,
CO ST. MARTIN, Colorado Dept. of Corrections,
CO KENNETH LEFEVER, Colorado Dept. of Corrections,
CO REGINA JOHNSON, Medical Department, Colorado Dept. of Corrections,
MAJOR JOHNSON, Colorado Dept. of Corrections,
CAPTAIN WEINGARDT, Colorado Dept. of Corrections,
LT. MARK BOLT, Colorado Dept. of Corrections,
LT. JASON ZWIRN, Colorado Dept. of Corrections,
LT. SHANE McMAHIL, Colorado Dept. of Corrections,
CATHIE HOLST, Manager of Correctional Legal Services ADA Coordinator/AIC, CDOC,
ADRIENNE JACOBSON, Legal Assistant, AIC/ADA Coordinator, CDOC,
WARDEN BROADDUS, Colorado Dept. of Corrections,
MAJOR TWO BEARS CHAVES, Colorado Dept. of Corrections,
SGT. BECKY BALL, Colorado Dept. of Corrections,
LT. JIMERSON, Colorado Dept. of Corrections,
MS. HAVERLY, Librarian, Colorado Dept. of Corrections, and
JOHN DOE AND JANE DOE,

Defendants.

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.

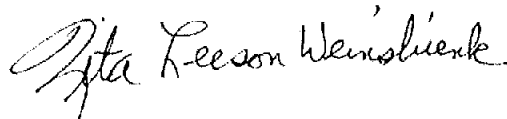
The Court has granted the plaintiff leave to proceed *in forma pauperis*. It now is

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: November 18, 2009

BY THE COURT:



UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-01051-ZLW-KMT

John Nasious
Prisoner No. 98775
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Paula Frantz, Aristedes Zavaras, CO St. Martin, Kenneth Lefever,
CO Regina Johnson, Major Johnson, Captain Weingardt,
Lt. Mark Bolt, Lt. Jason Zwirn, Lt. Shane McMahil,
Cathie Holst, Adrienne Jacobson, Mark Broaddus, Two Bears Chaves,
Becky Ball, Lt. Jimerson, and Ms. Haverly, – **WAIVER***
c/o Keith Nordell

Colorado Department of Corrections
Office of Legal Affairs

DELIVERED ELECTRONICALLY

US Marshal Service
Service Clerk

Service forms for: Governor Bill Ritter, Martha Mueller, Barry Goldsmith,
Stephen Kreibs, Brian Webster, Tejender Singh, Joseph Fortunato,
Joann Stock, Nancy White, and Joseph Wermers

John Suthers, Attorney General
Office of the Attorney General

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COURTESY COPY

Paul Sanzo, Asst. Attorney General
Office of the Attorney General
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COURTESY COPY

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to Keith Nordell for service of process on Paula Frantz, Aristedes Zavaras, CO St. Martin, Kenneth Lefever, CO Regina Johnson, Major Johnson, Captain Weingardt, Lt. Mark Bolt, Lt. Jason Zwirn, Lt. Shane McMahil, Cathie Holst, Adrienne Jacobson, Mark Broaddus, Two Bears Chaves, Becky Ball, Lt. Jimerson, and Ms. Haverly; to the United States Marshal Service for service of process on Governor Bill Ritter, Martha Mueller, Barry Goldsmith, Stephen Kreibs, Brian Webster, Tejender Singh, Joseph Fortunato, Joann Stock, Nancy White, and Joseph Wermers: AMENDED COMPLAINT FILED 10/23/09, ORDER FILED 11/05/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/20/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk