

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT -5 2009

GREGORY C. LANGHAM
CLERK

Civil Action No. 09-cv-01196-CMA-MEH

NATHAN JERARD DUNLAP, and
MATTHEW FRANCISCO ALFARO,

Plaintiffs,

v.

ARISTEDES ZAVARAS, individually, and in his official capacity
as Executive Director of the Colorado Department of Corrections,
SUSAN JONES, individually, and in her official capacity
as the Warden of the Colorado State Penitentiary,
D. COMBS, whose true name is unknown, individually, and in his official capacity
as a hearing committee member,
K. MOORE, whose true name is unknown, individually, and in her official capacity
as a hearing committee member, and
J. OLSON, whose true name is unknown, individually, and in his official capacity
as a hearing committee member chairperson,

Defendants.

ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

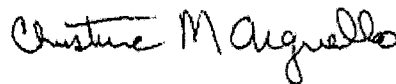
This cause came before the Court on the affidavit in support of the motion for leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915. The Court has granted the Plaintiffs leave to proceed *in forma pauperis*. It now is **ORDERED** that, if appropriate, the Clerk shall attempt 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: October 5, 2009

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-01196-CMA-MEH

Nathan Jerard Dunlap
Prisoner No. 89148
Colorado State Penitentiary
PO Box 777
Cañon City, CO 81215- 0777

Matthew Fransisco Alfaro
Prisoner No. 110191
Centennial Correctional Facility
PO Box 600
Cañon City, CO 81215- 0600

Aristedes Zavaras, Susan Jones,
D. Combs, K. Moore, and J. Olson – **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 Aristedes Zavaras, Susan Jones, D. Combs, K. Moore, and J. Olson: AMENDED COMPLAINT FILED 09/25/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 10/5/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk