

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-01229-MSK-KLM

ROSENDO HERRERA,

Plaintiff,

v.

ARISTEDES ZAVARES, Executive Director,
THEODORE LAWRENCE, Physician's Assistant,
PATTY L. BEECROFT, Physician,
BRIAN WEBSTER, Physician's Assistant,
(UNKNOWN FIRST NAME) FORTUNATO, Physician, and
BEVERLY DOWIS, Health Services Administrator,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 10 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 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 this 10th day of November, 2009.

BY THE COURT:

Marcia S. Krieger

Marcia S. Krieger
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-01229-MSK-KLM

Rosendo Herrera
Prisoner No. 120930
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Aristedes Zavares, Theodore Lawrence, Brian Webster,
Patty L. Beecroft, FNU Fortunato, and Beverly Dowis - **WAIVER***
c/o Keith Nordell
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

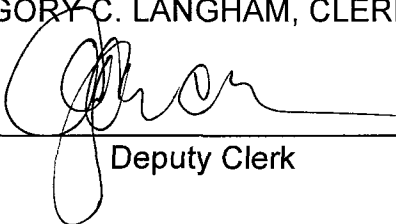
John Suthers, Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY
COURTESY COPY

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 Zavares, Theodore Lawrence, Brian Webster, Patty L. Beecroft, FNU Fortunato, and Beverly Dowis: AMENDED COMPLAINT FILED 10/02/09, ORDER FILED 11/04/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/10/09.

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk