

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

Civil Action No. 09-cv-01553-MSK

MICHAEL DAVID JOHNSON,

Plaintiff,

v.

ARISTEDES ZAVARAS, Executive Director, Colorado Department of
Corrections (CDOC),
KEVIN MILYARD, Warden, Sterling Correctional Facility (SCF),
TERRY BARTRUFF, Associate Warden, Sterling Correctional Facility (SCF),
LLOYD WAIDE, Major, Sterling Correctional Facility (SCF),
RAYMOND HIGGINS, Captain, SERT Commander, Sterling Correctional Facility (SCF),
SHAWN REWORLDT, SERT Team Leader, Sterling Correctional Facility (SCF), and
UNKNOWN JOHN & JANE DOES, Serving in Their Official Capacities;
(Management Team Members and SERT Team Members), Sterling Correctional Facility
(SCF),
All Defendants Are Sued in Their Official and Individual Capacities,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUL 27 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 27th day of July, 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-01553-MSK-MEH

Michael David Johnson
Prisoner No. 126550
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Aristedes Zavaras, Kevin Milyard,
Terry Bartruff, Lloyd Waide,
Raymond Higgins, and Shawn Reworldt – **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, Kevin Milyard, Terry Bartruff, Lloyd Waide, Raymond Higgins, and Shawn Reworldt: COMPLAINT FILED 07/01/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 7/27/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk