

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

SEP 3 - 2009

GREGORY C. LANGHAM  
CLERK

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

Civil Action No. 09-cv-01674-MSK

CHARLES E. MCCARTER,

Plaintiff,

v.

JOHN E. POTTER, Post Master General,

Defendant.

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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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 United States Marshal shall attempt to obtain a waiver of service from the defendant. 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. 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.

DATED this 1<sup>st</sup> day of September, 2009.

**BY THE COURT:**

*Marcia S. Krieger*

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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-01674-MSK-KMT

Charles E. McCarter  
4255 Kittredge St., #1713  
Denver, CO 80239

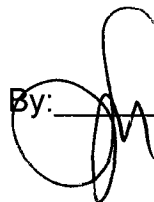
John E. Potter, Postmaster General - **CERTIFIED**  
U.S. Postal Service  
475 L'Enfant Plaza, SW  
Washington, D.C. 20260-0010

United States Attorney General - **CERTIFIED**  
Room 5111, Main Justice Bldg  
10<sup>th</sup> and Constitution, N.W.  
Washington, D.C. 20530

United States Attorney  
District of Colorado  
**DELIVERED ELECTRONICALLY**

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following service forms to the United States Attorney General and to the United States Attorney's Office for process of service on John Potter: AMENDED TITLE VII COMPLAINT FILED 08/14/09, SUMMONS, AND NOTICE OF AVAILABILITY OF A U.S. MAGISTRATE JUDGE CONSENT FORM on 9/3/09.

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk