

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01972-WYD-MJW

JOSEPH J. FLEMING, Reg No. 19956-047,

Plaintiff,

v.

FNU MNU CAMACHO, Physician Assistant,
FNU MNU CURTIS, Physician Assistant,
FNU MNU TERNANSKY, Correctional Officer,
FNU MNU JOHNSON, Food Service Worker,
FNU MNU SEARS, Food Service Worker, and
FNU MNU KELLAR, Physician Assistant,
(All Defendants being sued in their official and individual capacities, all being part of the
correctional staff at the prison complex at Florence, Colorado.)

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV - 4 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 2nd day of November, 2009.

BY THE COURT:

s/ Wiley Y. Daniel
WILEY Y. DANIEL,
CHIEF UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-01972-WYD-MJW

Joseph J. Fleming
Reg. No. 19956-047
FCI – Florence
PO Box 6000
Florence, CO 81226

US Marshal Service
Service Clerk
Service forms for: FNU Camacho, FNU Curtis,
FNU Ternansky, FNU Johnson, FNU Sears, and FNU Kellar

United States Attorney
District of Colorado
DELIVERED ELECTRONICALLY

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

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to the United States Marshal Service for service of process on FNU Camacho, FNU Curtis, FNU Ternansky, FNU Johnson, FNU Sears, and FNU Kellar; to United States Attorney General; and to the United States Attorney's Office: AMENDED COMPLAINT FILED 10/23/09, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/4/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk