

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02131-BNB

DAVID H. ISBERG,

Plaintiff,

v.

COLORADO DEPT OF CORRECTIONS,
COLORADO STATE PAROLE BOARD,
DENVER HEALTH,
BOULDER COUNTY SHERIFF, and
SCOTT WOODS, Executive, CMI Columbine or CMI,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 19 2009

GREGORY C. LANGHAM
CLERK

ORDER

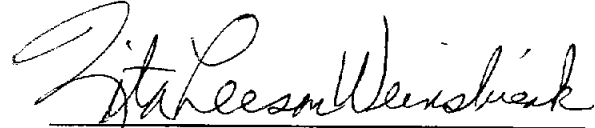
This matter is before the Court on Plaintiff's "Motion to Habeas Corpus Ad Faciendum Et Recipiendum," filed on September 8, 2009 (Doc. # 4).

Liberal construed, the Motion apparently seeks the removal to this Court of Case No. 08cv1132, a civil case filed in the Twentieth Judicial District in the County of Boulder, Colorado. The Court has reviewed the liberal construed Motion and finds that it is deficient for several reasons. Only defendants may remove an action from state court. **See** 28 U.S.C. § 1446(a). Further, Mr. Isberg fails to set forth "a short and plain statement of the grounds for removal, together with a copy of all process, pleadings, and orders served upon such defendant or defendants in such action." *Id.* Therefore, the Motion will be denied. Accordingly, it is

ORDERED that the "Motion to Habeas Corpus Ad Faciendum Et Recipiendum"
is DENIED.

DATED at Denver, Colorado, this 19 day of Nov., 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Zita L. Weinsienk". The signature is written in a cursive style with a large initial "Z".

ZITA L. WEINSHIENK, Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02131-BNB

David H. Isberg
Prisoner No. 120479
Boulder County Jail
3200 Airport Rd.
Boulder, CO 80301

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 11/19/09

GREGORY C. LANGHAM, CLERK

By:  _____

Deputy Clerk