

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO  
NOV - 3 2009  
GREGORY C. LANGHAM  
CLERK

Civil Action No. 09-cv-02220-REB-KMT

DeANGELO HORTON,

Plaintiff,

v.

EXECUTIVE DIRECTOR ARISTEDES ZAVARAS,  
AVCF WARDEN MIKE ARELLANO,  
AVCF STAFF MEMBER JOHN DOE (Warden Arellano's Designee),  
CSP WARDEN SUSAN JONES,  
CSP STAFF MEMBER JOHN DOE (Warden Jones' Designee),  
AVCF STAFF MEMBER REEVES,  
AVCF STAFF MEMBER GRAHAM,  
AVCF STAFF MEMEBER KURTZ,  
AVCF STAFF MEMBERS JOHN AND/OR JANE DOES (Committee Members for 30  
Day Reviews),  
CSP CASE MANAGER DeFUSCO,  
CSP COMMITTEE CHAIRMAN OLSON, and  
CSP STAFF MEMBERS JOHN AND/OR JANE DOES (Committee Members for 30 Day  
Reviews),

Defendants.

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**ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL**

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**Blackburn, J.**

This matter is 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*.

**THEREFORE, IT IS ORDERED** as follows:

1. That if appropriate, the Clerk shall attempt to obtain a waiver of service from each of the defendants;

2. That if the Clerk is unable to do so, then 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 on each of the defendants; provided, furthermore, that if appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d);

3. That all costs of service shall be advanced by the United States; and

4. That after service of process, any defendant or counsel for any defendant having been served shall respond to the complaint as provided in the Federal Rules of Civil Procedure.

Dated November 2, 2009, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-02220-REB-KMT

DeAngelo Horton  
Prisoner No. 92262  
Sterling Correctional Facility  
PO Box 6000  
Sterling, CO 80751

Aristedes Zavaras, Mike Arrellano, Susan Jones,  
Reeves, Graham, Kurtz, DeFusco, and Olson- **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, Mike Arrellano, Susan Jones, Reeves, Graham, Kurtz, DeFusco, and Olson: COMPLAINT FILED 09/16/09, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/3/09.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk