

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02328-WYD-KLM

WELLMAN GIBSON,

Plaintiff,

v.

ARISTEDES W. ZAVARAS, et al.,
SGT. VERENA PACHECO, and
WARDEN HARTLEY,

Defendant(s).

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 18 2009

GREGORY C. LANGHAM
CLERK

ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's Amended Complaint [Docket No. 29]. Plaintiff has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and the Court ordered service of the original complaint by the United Marshal [Docket No. 13].

IT IS HEREBY **ORDERED** that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendants. If unable to do so, the United States Marshal shall serve a copy of the amended complaint and summons upon 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 Defendants or counsel for Defendants shall respond to the amended complaint as provided for in the Federal Rules of Civil Procedure after service of process on Defendants.

Dated: November 17, 2009

BY THE COURT:

s/ Kristen L. Mix
U.S. Magistrate Judge
Kristen L. Mix

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02328-WYD-KLM

Wellman Gibson
Prisoner No. 74384
Arkansas Valley Corr. Facility
PO Box 1000
Crowley, CO 81034

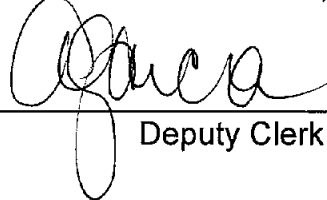
Capt. Matoyer, CO Lopez,
Major Martinez, and Kim Beicker – **WAIVER***
c/o Keith Nordell
Colorado Department of Corrections
Office of Legal Affairs
DELIVERED ELECTRONICALLY

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 Capt. Matoyer, CO Lopez, Major Martinez, and Kim Beicker : AMENDED COMPLAINT FILED 11/05/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/18/09.

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk