

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02561-DME-KLM

TERRY TYLER,

Plaintiff,

v.

A.W. J. JONES, Acting Warden,
CAPTAIN CHRIS, and
UNIT MANAGER DERR,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB -3 2010

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: February 3, 2010

BY THE COURT:

s/ David M. Ebel

UNITED STATES CIRCUIT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02561-DME-KLM

Terry Tyler
Reg. No. 15253-045
USP – Atwater
PO Box 019001
Atwater, CA 95301

US Marshal Service
Service Clerk
Service forms for: A.W. Jones, Captain Chris, and Unit Manager Derr

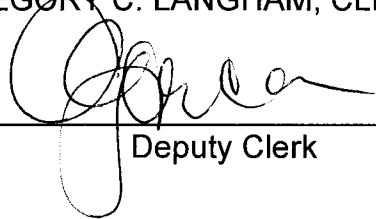
United States Attorney
District of Colorado
DELIVERED ELECTRONICALLY

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 A.W. Jones, Captain Chris, and Unit Manager Derr; to United States Attorney General; and to the United States Attorney's Office: AMENDED COMPLAINT FILED 1/28/10, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 2/3/10.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk