

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-cv-02815-BNB

RUDOLPH MATHEW CANDELARIA,

Applicant,

v.

HOYT BRILL, Warden of the Kit Carson Correctional Center, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE BOYD N. BOLAND

This matter is before the Court on Applicant's "Motion to Add Proper Part [sic] Respondent," filed on December 28, 2009. The Motion is GRANTED IN PART AND DENIED IN PART.

To the extent that Mr. Candelaria seeks to add Hoyt Brill as a Respondent, the Motion is GRANTED. **The Clerk of the Court is directed to add Hoyt Brill, Warden of the Kit Carson Correctional Center, as a party to this action.**

To the extent that Mr. Candelaria seeks to add Ari Zavaras, Director of the Colorado Department of Corrections, and remove the Attorney General of the State of Colorado, the Motion is DENIED. Ari Zavaras is not a proper party to this habeas corpus action.

Dated: December 29, 2009
