

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

Civil Case No. 09-cv-02817-REB-MEH

JUSTIN JOSEPH RUEB,

Plaintiff,

v.

ARISTEDES ZAVARAS,
SUSAN JONES,
EUGENE ATHERTON,
ROBERT ALLEN,
C. BARR,
DENNIS BURBANK,
ANTHONY DECESARO,
JIM GENTILE,
M. HILDEBRAND,
CARL HOLDITCH,
C. MAY,
DONICE NEAL,
R. OLIVETT,
LARRY REID,
WILLIAM RICHTER,
C. ROY,
KEN SALAZAR,
JOHN SUTHERS,
G. VENDETTI,
D. WILLIAMS, and
H. WILLIAMS,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAR -1 2010
GREGORY C. LANGHAM
CLERK

ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL

Blackburn, J.

On February 16, 2010, plaintiff filed a **Motion For Leave To Amend The Complaint** [#21], which was referred to and granted by Magistrate Judge Michael E. Hegarty, February 18, 2010. See **Minute Order** [#23]. The court accepted the **Amended Prisoner Complaint** [#24] for filing on February 18, 2010. 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 **Amended Prisoner Complaint** [#24], 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 **Amended Prisoner Complaint** [#24] as provided in the Federal Rules of Civil Procedure.

Dated February 26, 2010, 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-02817-REB-MEH

Justin Joseph Rueb
Prisoner No. 94567
Colorado State Penitentiary
PO Box 777
Cañon City, CO 81215- 0777

Eugene Atherton, Robert Allen, C. Barr, Dennis Burbank,
Anthony Decesaro, Jim Gentile, Sue Grisenti, M. Hildebrand,
Carl Holditch, C. May, Donice Neal, R. Olivett, Larry Reid, William Richter,
C. Roy, Ken Salazar, G. Vendetti, D. Williams and H. Williams, – **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

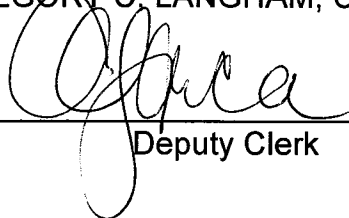
Jennifer S. Huss
Assistant Attorney General
Office of the Attorney General
DELIVERED ELECTRONICALLY

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 Keith Nordell for service of process on Eugene Atherton, Robert Allen, C. Barr, Dennis Burbank, Anthony Decesaro, Jim Gentile, Sue Grisenti, M. Hildebrand, Carl Holditch, C. May, Donice Neal, R. Olivett, Larry Reid, William Richter, C. Roy, Ken Salazar, G. Vendetti, D. Williams and H. Williams; and to John Suthers: AMENDED COMPLAINT FILED 2/18/10, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 2/1/10.

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk