

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello

Civil Action No. 09-cv-03024-CMA-KLM

DONALD GARCIA, #55819,

Plaintiff,

v.

PHYSICIAN'S ASSISTANT BRIAN WEBSTER,
WARDEN KEVIN MILYARD,
PHYSICIAN'S ASSISTANT STOCK,
DOCTOR GOLDSMITH, and
DOCTOR FORTUNATO,
All Defendants in Their Official and Individual Capacities,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 13 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.

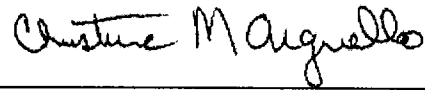
The Court has granted Plaintiff leave to proceed *in forma pauperis*. It now is

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 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 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: January 12, 2010

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-03024-CMA-KLM

Donald Garcia
Prisoner No. 55819
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

US Marshal Service
Service Clerk
Service forms for: Brian Webster

Warden Kevin Milyard, Physician's Assistant Stock,
Doctor Goldsmith, and Doctor Fortunato – **WAIVER***
c/o Keith Nordell
Colorado Department of Corrections
Office of Legal Affairs

DELIVERED ELECTRONICALLY

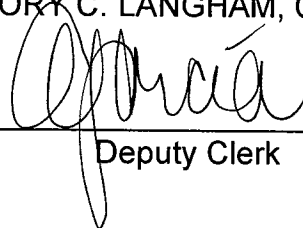
John Suthers, Attorney General
Office of the Attorney General
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Paul Sanzo, Asst. Attorney General
Office of the Attorney General
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COURTESY COPY

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 Warden Kevin Milyard, Physician's Assistant Stock, Doctor Goldsmith, and Doctor Fortunato: to the United States Marshal Service for service of process on Brian Webster: COMPLAINT FILED 12/30/09, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 1/13/10.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk