

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO

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

FEB 3 - 2010

GREGORY C. LANGHAM  
CLERK

Civil Action No. 10-cv-00157-REB-BNB

PHILIP B. MORGAN,

Plaintiff,

v.

DENVER POLICE DEPARTMENT,

Defendant.

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**ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL**

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**Blackburn, J.**

This matter is 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*.

**THEREFORE, IT IS ORDERED** as follows:

1. That if appropriate, the Clerk shall attempt to obtain a waiver of service from the defendant;
2. That if the Clerk is unable to do so, then 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 on the defendant; 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, the defendant or counsel for the defendant

having been served shall respond to the complaint as provided in the Federal Rules of Civil Procedure.

Dated February 1, 2010, at Denver, Colorado.

BY THE COURT:

  
Robert E. Blackburn  
Robert E. Blackburn  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

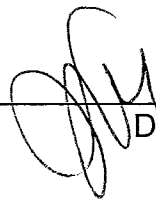
Civil Action No. 10-cv-00157-REB-BNB

Philip B. Morgan  
8965 E. Florida Ave  
Denver, CO 80247

US Marshal Service  
Service Clerk  
Service forms for: Denver Police Department

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 for service of process on Denver Police Department: TITLE VII COMPLAINT FILED 01/25/10, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 2/3/10.

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk