

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00604-DME-CBS

MICHAEL WAYNE BINGHAM,

Plaintiff,

v.

ARISTEDES ZAVARAS, Exec. Dir. CDOC,
WARDEN TIMME, FCF,
LT. KOCHEVER,
LT. DIRECTOR,
SGT. MARTIN,
SGT. STOGHILL,
JIM MOORE,
WARDEN MILYARD,
C/O CLINTON AULTMAN,
JANEEN LANE, LPC,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
JUL 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 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: July 12, 2010

BY THE COURT:

s/ David M. Ebel

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-00604-DME-CBS

Michael Wayne Bingham
Prisoner No. 111108
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Aristedes Zavaras, Warden Timme, Lt. Kochever,
Lt. Directo, Sgt. Martin, Sgt. Stoghill, Jim Moore,
Warden Milyard, Clinton Aultman, and Janeen Lane – **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
COURTESY COPY

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 Aristedes Zavaras, Warden Timme, Lt. Kochever, Lt. Directo, Sgt. Martin, Sgt. Stoghill, Jim Moore, Warden Milyard, Clinton Aultman, and Janeen Lane: SECOND AMENDED COMPLAINT FILED 6/11/10, ORDER FILED 07/07/10, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 7/13/10.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk