

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00929-PAB-KMT

JEREMY KANE POTTER,

Plaintiff,

v.

C/O JOHN DOE #1, OF DRDC, in his personal capacity,  
C/O JOHN DOE #2, OF DRDC, in his personal capacity,  
NURSE JANE DOE, OF DRDC, in her personal capacity,  
SERGEANT JOHN DOE, OF DRDC, in his personal capacity,  
LIEUTENANT JOHN DOE, OF DRDC, in his personal capacity,  
DOCTOR SING, OF DRDC, in his personal capacity,  
NURSE APRIL D. CALDWELL, OF CMRC, in her personal and/or official capacity,  
DENTIST CUNNINGHAM, OF CMRC, in his personal and/or official capacity,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

APR - 7 2011

GREGORY C. LANGHAM  
CLERK

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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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*.

Counsel for Defendant Singh has provided, under seal, the last known address for Defendant Cunningham. (Doc. No. 65.) Therefore, it now is

ORDERED that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendant Cunningham. 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 Defendant Cunningham. 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 Defendant Cunningham or counsel for Defendant Cunningham shall respond to the complaint as provided for in the Federal Rules of Civil Procedure after service of process on the defendants. It is

FURTHER ORDERED that Doc. No. 65, filed under seal on April 6, 2011, containing the address of Defendant Cunningham, shall remain sealed, except for employees of the United States Marshals Service, until further Order of the Court.

Dated this 7th day of April, 2011.

BY THE COURT:



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Kathleen M. Tafoya  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-00929-PAB-KMT

Jeremy Kane Potter  
Prisoner No. 147946  
Four Mile Correctional Center  
PO Box 300  
Cañon City, CO 81215- 0300

US Marshal Service  
Service Clerk  
Service forms for: Dentist Cunningham

Christopher Wayne Alber, Assistant Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**

Connor Lee Cantrell  
Attorney at Law  
**DELIVERED ELECTRONICALLY**

Patrick Quinn Hustead  
Attorney at Law  
**DELIVERED ELECTRONICALLY**

Ann Baumgartner Smith  
Attorney at Law  
**DELIVERED ELECTRONICALLY**

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 Service for service of process on Dentist Cunningham: SECOND AMENDED COMPLAINT FILED 12/15/10, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 7/1/11.

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_

Deputy Clerk