

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 10-cv-01345-PAB

WALTER L. HUERY,

Plaintiff,

v.

MS. POPE, C.D.O.C.,
DR. PAULA FRANTZ, CMO, PHP, C.D.O.C.,
NURSE RONDA KATZENMEYER, PHP-CHP, B.V.C.F.,
LAURENCE L. THEODORE, PHP, C.D.O.C., B.V.C.F.,
JOHN DOE 1-10, PHP, CHP, and
JANE DOE 1-10, PHP, CHP,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

DEC 13 2010

GREGORY C. LANGHAM
CLERK

ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

This matter comes 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 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 December 10, 2010.

BY THE COURT:

s/ Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-01345-PAB-MJW

Walter L. Huery
Prisoner No. 61463
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

Ms. Pope, Dr. Paula Frantz,
Ronda Katzenmeyer, and Laurence L. Theodore— **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 Ms. Pope, Dr. Paula Frantz, Ronda Katzenmeyer, and Laurence L. Theodore: AMENDED COMPLAINT FILED 11/22/10, SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 12/13/10.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk