

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02050-CMA-KLM

JOSE MEDINA ESCOBAR,

Plaintiff,

v.

MAJOR C. HOLDITCH,
SERGEANT ROBERTS,
SERGEANT HALSTEAD,
SERGEANT P. BINDER,
C/O CRIDER,
C/O FERGUSON,
C/O MARTIN,
C/O COOPER,
C/O K. VIALPONDO,
C/O ARCHULETA,
C/O A. LOMBARD,
SERGEANT POOL, and
LIEUTENANT T. CHAVEZ,
DOCTOR J. WRIGHT, and
NURSE PRACTITIONER K. BOYD,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT - 8 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*. Service has previously been effected on all named Defendants except Defendant Doctor J. Wright and Defendant Nurse Practitioner K. Boyd.

IT IS HEREBY **ORDERED** that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendants Wright and Boyd, who are located at the Centennial

Correctional Facility, P.O. Box 600, Canon City, Colorado 81215. If unable to do so, the United States Marshal shall serve a copy of the Amended Complaint [Docket No. 17], summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, Order No. 16, and all other orders upon Defendants at the above address. 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 Wright and Boyd or their counsel shall respond to the Amended Complaint [#17] as provided for in the Federal Rules of Civil Procedure after service of process on them.

DATED: October 7, 2010 at Denver, Colorado.

BY THE COURT:

s/ Kristen L. Mix
Kristen L. Mix
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-02050-CMA-KLM

Jose Medina Escobar
Prisoner No. 48895
Centennial Correctional Facility
PO Box 600
Cañon City, CO 81215- 0600

Doctor J. Wright and Nurse Practitioner K. Boyd – **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 Doctor J. Wright and Nurse Practitioner K. Boyd: AMENDED COMPLAINT FILED 10/07/10 (DOC. 17), ORDER FILED 10/07/10 (DOC. 16), SUMMONS, WAIVER*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 10/08/10.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk