

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02234-WYD-MJW

NATHAN YBANEZ,

Plaintiff,

v.

WARDEN KEVIN MILYARD,  
MARY COX-BERGMAN,  
STEVEN MAY,  
VARIOUS JOHN DOES, and  
VARIOUS JANE DOES, all sued in their individual and official capacities,

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO  
NOV 19 2010  
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 its own motion. After careful review and consideration, 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, 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 this 18th day of November, 2010.

BY THE COURT:

s/ Wiley Y. Daniel  
WILEY Y. DANIEL,  
CHIEF UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-02234-WYD-MJW

Nathan Ybanez  
Prisoner No. 102794  
Sterling Correctional Facility  
PO Box 6000  
Sterling, CO 80751

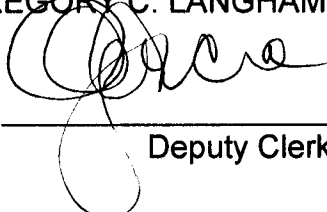
Kevin Milyard, Mary Cox-Bergman, and Steven May– **WAIVER\***  
c/o Keith Nordell  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

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 Kevin Milyard, Mary Cox-Bergman, and Steven May: AMENDED COMPLAINT FILED 10/08/10, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 11/9/10.

GREGORY C. LANGHAM, CLERK

By:   
Deputy Clerk