

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 10-cv-02270-BNB

JEFFREY ELKINS,

Applicant,

SEP 29 2010

GREGORY C. LANGHAM
CLERK

v.

ERIC FRANKLIN, Warden, Lexington Assessment Correctional Center,
COLORADO DEPT. [OF] CORRECTIONS, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915

Applicant has filed a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254. The Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action will be granted. Accordingly, it is

ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action, filed on September 24, 2010, is granted. It is

FURTHER ORDERED that the Applicant's motion to accept the amended § 1915 motion, filed on September 24, 2010, is granted. It is

FURTHER ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action, filed on September 7, 2010, is denied as moot. It is

FURTHER ORDERED that process shall not issue until further order of the court.

DATED September 29, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

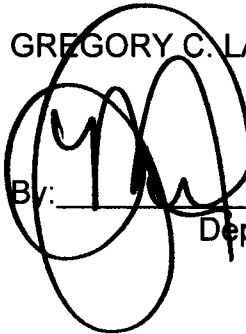
CERTIFICATE OF MAILING

Civil Action No. 10-cv-02270-BNB

Jeffrey Elkins
Prisoner No. 549929
ODOC
P.O. Box 260
Lexington, OK 73051

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 9/29/10

GREGORY C. LANGHAM, CLERK

A handwritten signature in black ink, consisting of several loops and a final downward stroke, positioned over a horizontal line.

By: _____

Deputy Clerk