

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 10-cv-02302-PAB-KMT

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JOHN M MEYER, JR.,

JUL 27 2011

Plaintiff,

**GREGORY C. LANGHAM**  
CLERK

v.

MR. FERGUSON (individual capacity) Sgt. DRDC Infirmary,  
MR. MEIGGS (individual capacity) Intack Srt. CTCF,  
OFFICER LUIS GARCIA, CENTRAL TRANSPORTATION UNIT, (individual and official  
capacity),  
CORRECTIONS OFFICER MULAY (individual and official capacity), and  
DR. DARROW (individual and official capacity) Medical Doctor CTCF,

Defendants.

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**ORDER GRANTING SERVICE BY UNITED STATES MARSHAL**

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THIS CAUSE came before the Court on Plaintiff's "Motion for Leave to File an Amended Complaint" (Doc. No. 95) and this court's Order granting the motion (Doc. No. 99). Plaintiff has been granted leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915. It now is

ORDERED that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendants Officer Luis Garcia and Corrections Officer Mulay. If unable to do so, the United States Marshal shall serve a copy of the complaint (Doc. Nos. 11 and 86), 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 this 26th day of July, 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-02302-PAB-KMT

John M. Meyer, Jr.  
Prisoner No. 142421  
Centennial Corr. Facility  
PO Box 600 - HG-101  
Cañon City, CO 81215- 0600

Luis Garcia, and CO Mulay – **WAIVER\***  
c/o Keith Nordell  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

Robert C. Huss, Asst. Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**

John Suthers, 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 Luis Garcia, and CO Mulay: MOTION TO AMEND FILED 7/18/11, AMENDMENT TO COMPLAINT FILED 7/18/11, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 7/27/11.

GREGORY C. LANGHAM, CLERK

By:   
Deputy Clerk