

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02504-DME-KLM

THOMAS RADICK,

Plaintiff,

v.

MARK IPPOLITO, Health Services Administrator, FCI Englewood,
DR. KRAUSE, Physician, FCI Englewood,
MR. GARZA, Physician's Assistant, FCI Englewood,
NURSE WAGONER, Nurse, FCI Englewood,
MRS. LEYBA, Administrative Hearing Officer, FCI Englewood,
MR. WALDO, Case Manager, FCI Englewood,
MS. DONSANJ, Unit Manager, FCI Englewood, and
MR. WATTS, F.B.O.P. Administrative Remedy Coordinator, Central Office, in his official
and individual capacity,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 15 2011

GREGORY C. LANGHAM
CLERK

AMENDED ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's Response [Docket Nos. 47, 48 & 49; Filed February 11, 2011] to the Court's Order to Show Cause [Docket No. 34] issued on February 7, 2011.¹ In his Response, Plaintiff provides an address for Defendant Ippolito: "6030 So. Quail Way, Denver, Colorado 80127." *Response* [#49] at 1.

IT IS HEREBY **ORDERED** that, pursuant to the Order Granting Service by United States Marshal [Docket No. 16], the United States Marshal shall attempt to serve the

¹ The Clerk of the Court severed Plaintiff's Response into three separate documents, and construed two of these documents [#47 & 48] as motions. The Court finds that it is more appropriate to consider Plaintiff's Response as a whole. The Court also finds that because the Response does not request any new relief from the Court, document numbers 47 and 48 should be terminated as motions.

Summons and Amended Complaint [Docket No. 13] on Defendant Ippolito at the address provided by Plaintiff.²

IT IS FURTHER ORDERED that the Order to Show Cause [#34] is **DISCHARGED**.

IT IS FURTHER ORDERED that document numbers 47 and 48 are **TERMINATED** as motions.

DATED: February 14, 2011 at Denver, Colorado.

BY THE COURT:

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

² The Court notes that Plaintiff's operative pleading in this case, the Amended Complaint [#13], has been amended twice by Orders of the Court. First, several named Defendants were dismissed as parties on January 12, 2011. *Order* [Docket No. 14]. Second, the Amended Complaint was amended to add "Mr. Watts, F.B.O.P. Administrative Remedy Coordinator, Central Office, in his individual capacity" as a Defendant. *Minute Order* [Docket No. 33].

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-02504-DME-KLM

Thomas Radick
Reg. No. 18207-424
FCI - Englewood
9595 W. Quincy Avenue
Littleton, CO 80123

US Marshal Service
Service Clerk
Service forms for: Mark Ippolito

United States Attorney
District of Colorado
DELIVERED ELECTRONICALLY

United States Attorney General - **CERTIFIED**
Room 5111, Main Justice Bldg.
10th and Constitution, N.W.
Washington, D.C. 20530

I hereby certify that I have mailed a copy of the ORDER to the above-named individuals, and the following forms to the United States Marshal Service for service of process on Mark Ippolito; to United States Attorney General; and to the United States Attorney's Office: AMENDED COMPLAINT FILED 11/26/10, ORDER FILED 1/12/11, SUMMONS, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 2/15/11.

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk