

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MAR 25 2011

GREGORY C. LANGHAM  
CLERK

Civil Action No. 10-cv-02738-REB-MEH

CURTIS L. LILLY,

Plaintiff,

v.

MR. JASON FASSLER, Correctional Officer, Fremont Correctional Facility, and  
MR. ROBERT BEAUMONT, Correctional Officer, Fremont Correctional Facility,

Defendants.

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ORDER REQUIRING SERVICE BY UNITED STATES MARSHAL

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**Blackburn, J.**

This matter is 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 the plaintiff leave to proceed *in forma pauperis*.

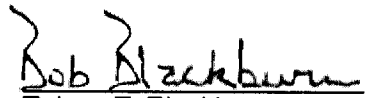
**THEREFORE, IT IS ORDERED** as follows:

1. That if appropriate, the Clerk shall attempt to obtain a waiver of service from each of the defendants;
2. That if the Clerk is unable to do so, then the United States Marshal shall serve a copy of the complaint, summons, order granting leave to proceed pursuant to 28 U.S.C. § 1915, and all other orders on each of the defendants; provided, furthermore, that if appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d);
3. That all costs of service shall be advanced by the United States; and
4. That after service of process, any defendant or counsel for any defendant

having been served shall respond to the complaint as provided in the Federal Rules of Civil Procedure.

Dated March 25, 2011, at Denver, Colorado.

**BY THE COURT:**

A handwritten signature in black ink that reads "Rob Blackburn". The signature is written in a cursive style with a horizontal line underneath the name.

Robert E. Blackburn  
United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-02738-REB-MEH

Curtis L. Lilly  
Prisoner No. 50949  
Fremont Correctional Facility  
PO Box 999  
Cañon City, CO 81215- 0999

Jason Fassler, and Robert Beaumont - **WAIVER\***  
c/o Keith Nordell  
Colorado Department of Corrections  
Office of Legal Affairs  
**DELIVERED ELECTRONICALLY**

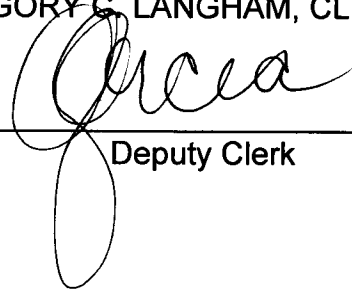
John Suthers, Attorney General  
Office of the Attorney General  
**DELIVERED ELECTRONICALLY**  
**COURTESY COPY**

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 the to Keith Nordell for service of process on Jason Fassler, and Robert Beaumont : AMENDED COMPLAINT FILED 3/01/11, ORDER FILED 3/17/11, SUMMONS, WAIVER\*, AND NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE on 3/25/11.

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_



Deputy Clerk