

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 28 2011

GREGORY C. LANGHAM
CLERK

Civil Action No. 11-cv-00699-BNB

JOHN W. GUNTER,

Applicant,

v.

DICK SMELSER, Warden of Crowley County Correctional Facility, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondent.

ORDER DIRECTING JAMES GRIMALDI, ESQ., TO APPLY
FOR ADMISSION TO DISTRICT OF COLORADO BAR

This matter is before the Court on the unsigned application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 submitted to and filed with the Court on March 21, 2011, by James Grimaldi, Esq., on behalf of Applicant, John W. Gunter. The \$5.00 habeas corpus filing fee has been paid in this action.

Mr. Grimaldi states that he is an attorney in Texas. He has filed a notice of limited representation as an attachment to the habeas corpus application, informing the Court that he is a member of the Colorado bar and the bar for the United States Court of Appeals for the Tenth Circuit, and that he provided *pro bono* assistance to Mr. Gunter in drafting the instant habeas corpus application. However, according to this Court's records, Mr. Grimaldi is not admitted to the bar of this Court, nor has he filed an application for admission to the bar of this Court.

Pursuant to D.C.COLO. LCivR 83.3 and D.C.COLO.LCrR 57.5, admission to the

bar of this Court is limited to persons licensed by the highest court of a state, federal territory, or the District of Columbia; who are on active status in a state, federal territory, or the District of Columbia; and who are in good standing in all courts and jurisdictions where admitted. Mr. Grimaldi, in order to be able to file the instant habeas corpus application on behalf of Mr. Gunter, must be a member of the bar of this Court. The application for admission to the bar of this Court is available on the Court's website, www.cod.uscourts.gov, under the "Forms" tab. Within thirty days from the date of this order, Mr. Grimaldi either must complete and submit the application for admission to the bar of this Court, or file a motion to withdraw from the instant action.

Accordingly, it is

ORDERED that James Grimaldi, Esq., who has filed a notice of limited representation on behalf of Applicant, John W. Gunter, either complete and submit within **thirty (30) days from the date of this order** an application for admission to the bar of this Court or file a motion to withdraw from the instant action. It is

FURTHER ORDERED that the clerk of the Court mail a copy of this order to James Grimaldi, Esq., at the address he has provided, P.O. Box 103, Kemah, TX 77565.

DATED March 28, 2011, 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

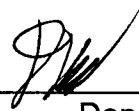
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John W Gunter
Prisoner No. 93555
Crowley County Corr. Facility
6564 State Hwy. 96
Olney Springs, CO 81062-8700

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on March 28, 2011.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk