

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable William J. Martínez**

Civil Action No.11-cv-01090-WJM

TERENCE J. HANKINS, Prisoner No. 147323,

Applicant,

v.

KEVIN MILYARD, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

**ORDER TO LIFT STAY, ORDER TO SHOW CAUSE RE: DEFENDANT
SUBSTITUTION, AND ORDER FOR STATE COURT RECORD**

On January 13, 2012, the Court entered an order staying this action until the entire state court record is available. Respondents filed a status report on December 1, 2015, that indicates the state court appeal concluded on November 16, 2015, when the Colorado Supreme Court denied Applicant's petition for certiorari review. The state court record in Criminal Case No. 07CR159, therefore, now should be available.

Accordingly, it is

ORDERED that the stay entered on January 13, 2012, is lifted. It is

FURTHER ORDERED that Respondents shall SHOW CAUSE on or before **December 18, 2015**, why the current warden of Sterling Correctional Facility, John Chapdelaine, should not be substituted for Kevin Milyard, pursuant to Federal Rule of Civil Procedure 25(d). It is

FURTHER ORDERED that within thirty days from the date of this Order Respondents and the Clerk of the Moffat District Court shall file with the Clerk of this

Court, in electronic format if available, a complete record of the state court proceedings in Case No. 07CR159, including all documents in the state court file and transcripts of all proceedings conducted in the state court, along with physical evidence that is relevant to the asserted claims. It is

FURTHER ORDERED that the Clerk of this Court is directed to send copies of this Order to the following:

- (1) Clerk of the Court
Moffat County District Court
221 West Victory Way
Suite 300
Craig, CO 81625; and
- (2) Court Services Manager
State Court Administrator's Office
101 W. Colfax, Ste. 500
Denver, Colorado 80202.

DATED this 2nd day of December, 2015.

BY THE COURT:



William J. Martínez
United States District Judge