

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03184-WYD-KLM

LINDA SUE FICK,

Plaintiff,

v.

US BANK NATIONAL ASSOCIATION,
CITIGROUP MORTGAGE LOAN TRUST,
WELLS FARGO,
NEW CENTURY MORTGAGE,
AMERICA'S SERVICING COMPANY,
CITIGROUP MORTGAGE LOAN TRUSTS, and
CASTLE STAWIARSKI, LLC,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant Castle Stawiarski's ("Castle") **Unopposed Motion of Defendant Castle Stawiarski, LLC to Quash Service of Summons and Complaint** [Docket No. 17; Filed January 4, 2012] (the "Motion"). On December 9, 2011, Magistrate Judge Boland issued an Order that granted Plaintiff leave to proceed pursuant to 28 U.S.C. § 1915. See *Order* [#6] at 1. The Order further mandated that process was not to issue at that time until the Court reviewed "the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine if the complaint is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief." *Id.* at 1-2. However, process issued on December 12, 2011 [#10], and Defendant Castle was served on December 21, 2011. See *Summons* [#12]. Because process issued to Defendant Castle in contravention of a Court Order [#6],

IT IS HEREBY **ORDERED** that the Motion [#17] is **GRANTED**.

IT IS FURTHER **ORDERED** that the service of Summons [#12] and Complaint [#1] is **QUASHED**.

Dated: January 5, 2012