

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01833-WYD-KLM

CRAIG ROBLEDO-VALDEZ,

Plaintiff,

v.

DICK SMELSER, Warden of CCA,
RAY ROMERO, of CCCF,
ALBERT MARTINEZ, of CCA,
TIANA LUCERO, of CCCF,
ELIJAH RIDGEWELL,
JUDY BREZINDINE,
RAMOS, Officer,
SANTISTEVAN, Officer,
RACHAEL INFANTE,
GONZALES, Conselor,
MONREAL, Sergeant,
ACKER, Sergeant,
SHANE KOLANDER,
PELSTER, Sergeant,
TONY CAROCHI,
DANIEL CHAVEZ,
C. REYES,
D. CORTESE,
2 UNNAMED PPMU OFFICERS, and
RANDY MARTINEZ,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court *sua sponte*. It has come to the Court's attention that the following Defendants have not been served with the Summons and Amended Complaint in this action and, therefore, are not currently proper parties: Defendants Dick Smelser, Ray Romero, Tiana Lucero, Sergeant Pelster, Daniel Chavez, C. Reyes, and 2 Unnamed PPMU Officers (the "Unserved Defendants"). Plaintiff filed this civil action on

July 12, 2012 [#1]. The Amended Complaint was filed on September 17, 2012 [#15]. By an Order dated July 13, 2012 [#6], Plaintiff was given leave to proceed *in forma pauperis*. On November 14, 2012, the Clerk of the Court filed a Certificate of Service certifying that it sent the Summonses and Amended Complaint to service contacts at the Colorado Department of Corrections and the Crowley County Correctional Facility in order to effectuate service on all Defendants [#24]. On November 16, 2012, a waiver of service for Defendant Tony Carochi and Defendant D. Cortese was filed [#25]. On November 21, 2012, a waiver of service for Defendant Albert Martinez, Defendant Elijah Ridgewell, Defendant Judy Brizendine, Defendant Vinicio Ramos, Defendant Maurice Santisteven, Defendant Rachael Infante, Defendant Angelina Gonzales, Defendant Jordon Monreal, Defendant Tim Acker, Defendant Shane Kolander, and Defendant Randy Martinez was filed [#28]. No waiver has been returned for the Unserved Defendants. No evidence of an inability to serve the Unserved Defendants has been entered on the docket. Accordingly,

IT IS HEREBY **ORDERED** that the United States Marshal's Service shall serve the Summons and Amended Complaint on the Unserved Defendants or, in the alternative, if service is not possible, file proof of inability to serve the Unserved Defendants on the docket on or before **May 31, 2013**.

Dated: May 2, 2013