

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02257-REB-KLM

DEAN CARBAJAL,

Plaintiff,

v.

ST. ANTHONY CENTRAL HOSPITAL, a corporation,
CENTURA HEALTH, a corporation,
DR. CHUANG, Supervising Physician, in his official and individual capacities,
STEPHAN M. SWAN, Physician Assistant, in his official and individual capacities,
GREGORY J. ENGLUND, Registered Nurse, in his official and individual capacities,
MARCI L. HANSUE, Registered Nurse, in her official and individual capacities,
MICHAEL O'NIELL, Police Officer for the Denver Police Department, in his official and individual capacities,
JAY LOPEZ, Police Officer for the Denver Police Department, in his official and individual capacities,
LARRY BLACK, Police Officer for the Denver Police Department, in his official and individual capacities,
LIEUTENANT THOMAS, Lieutenant for the Denver Police Department, in his official and individual capacities,
CAPTAIN STEVEN CARTER, Captain for the Denver Police Department, in his official and individual capacities,
GILBERTO LUCIO, Police Officer for the Denver Police Department, in his official and individual capacities,
CITY AND COUNTY OF DENVER, a political subdivision of the State of Colorado, and
APEX, a corporation,

Defendants.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on the Order to Show Cause [Docket No. 63; Issued December 3, 2012]. In the Order to Show Cause, the Court ordered Plaintiff to show cause why this Court should not recommend that the claims against Defendant Apex be

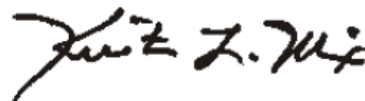
dismissed pursuant to Fed. R. Civ. P. 4(m) for failure to serve Defendant Apex or to provide a current address for Defendant Apex to allow the United States Marshal to effect service. On December 20, 2012, Plaintiff timely responded to the Order to Show Cause, providing an address at which the United States Marshal may effect service on Defendant Apex. *Response* [#75]. Accordingly,

IT IS HEREBY **ORDERED** that the obligations stated in the Order to Show Cause issued December 3, 2012 [#63] are **DISCHARGED**.

IT IS FURTHER **ORDERED** that, if appropriate, the Clerk shall attempt to obtain a waiver of service from Defendant Apex at: Apex Emergency Group, 4231 West 16th Ave, Denver, CO 80204. If unable to do so, the United States Marshal shall serve a copy of the Amended Prisoner Complaint, summons, and all other orders upon Defendant Apex. If appropriate, the Marshal shall first attempt to obtain a waiver of service of these documents pursuant to Fed. R. Civ. P. 4(d). All costs of service shall be advanced by the United States.

Dated: December 21, 2012

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kristen L. Mix".

Kristen L. Mix
United States Magistrate Judge