

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02876-RBJ-CBS

ERNEST SELHIME,
Plaintiff,

v.

ERIC C. CARLSON, Medical Doctor,
JACOB F. PATTERSON, Medical Doctor,
DANNY ENGLAND, Physician's Assistant,
ROYAL HAVENS, Physic[ia]n's Assistant,
SUSAN M. TIONA, [M]edical Doctor,
MARY GRIEB, Registered Nurse,
MARK WIENPHAL, Medical Doctor,
NOVA WALKER, Registered Nurse,
K.K., Unknown Name, Nurse initials, and
ST. THOMAS MORE HOSPITAL,
Defendants.

SECOND ORDER GRANTING SERVICE BY UNITED STATES MARSHAL

Magistrate Judge Craig B. Shaffer

This civil action comes before the court *sua sponte* for personal service of the Amended Complaint (Doc. # 20) on Defendant Susan M. Tiona. Plaintiff Selhime is currently incarcerated and is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915. (See November 2, 2012 "Order Granting Leave to Proceed Pursuant to 28 U.S.C. § 1915" (Doc. # 6)). Defendant Susan M. Tiona did not waive service as she is not an employee of the Colorado Department of Corrections ("CDOC"). (See Waiver of Service of Summons (Doc. # 24)). Upon information and belief, Defendant Tiona works for Corrections Corporation of America at the Kit Carson Correctional Facility. (See *id.*). Accordingly,

IT IS ORDERED that the Clerk of the Court, where appropriate, shall attempt to obtain a waiver of service from **Defendant Susan M. Tiona** at Kit Carson Correctional Center, P.O. Box 2000, Burlington, CO 81807, the address filed with the court by the CDOC on March 7, 2013. (See Doc. # 24). If a waiver of service cannot be obtained by the Clerk, the United States Marshal shall serve a copy of the Amended Complaint (Doc.

20) and summons upon Defendant Tiona. Where appropriate, the Marshal shall first attempt to obtain a waiver of service pursuant to Fed. R. Civ. P. 4(d). All costs of service shall be advanced by the United States. It is

FURTHER ORDERED that after service of process, Defendant Tiona shall respond to the Amended Complaint as provided for in the Federal Rules of Civil Procedure.

DATED at Denver, Colorado, this 11th day of April, 2013.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge