

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00236-LTB

HARLAN GARCIA,

Applicant,

v.

T. K. COZZA-RHODES, Warden,

Respondent.

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ORDER TO SUPPLEMENT RESPONSE TO ORDER TO SHOW CAUSE

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Mr. Garcia has filed an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, claiming that he is entitled to credit against his federal sentence for time he spent in custody between December 2, 2006 and July 28, 2008.

On June 14, 2013, Respondent filed a Response to the Court's March 15, 2013 Order to Show Cause. The Declaration of John Farrar, a Bureau of Prisons Correctional Programs Specialist, submitted in support of the Response [Doc. # 21-1], states that Applicant received credit toward his state sentence for the period December 2, 2006 to May 13, 2008. [*Id.* at ¶ 3]. The Declaration further indicates that Applicant received credit toward his state sentence for the period July 18, 2008 to July 28, 2008. [*Id.* at ¶ 8]. However, it is not clear from Mr. Farrar's Declaration, or the exhibits attached thereto, whether Applicant received credit toward his state sentence for the period May 14, 2008 to July 17, 2008. Accordingly, it is

ORDERED that Respondent supplement the Response to Order to Show Cause, **within fourteen (10) days from the date of this order**, with evidence regarding any

sentence credit Applicant received for the period May 14, 2008 to July 17, 2008, including, if feasible, a sentence computation report from the Colorado Department of Corrections.

Dated this 8<sup>th</sup> day of August, 2013 at Denver, Colorado.

BY THE COURT:

s/ Lewis T. Babcock  
LEWIS T. BABCOCK  
Senior District Judge