

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01968-GPG

OLOYEA D. WALLIN, a.k.a. DONALD OLOYEA WALLIN, a.k.a. OLOYEA WALLIN,  
Applicant,

v.

MICHAEL MILLER, Warden of Crowley County Correctional Facility, and  
JOHN SUTHERS, The Attorney General of the State of Colorado,  
Respondents.

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ORDER

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In response to the Court's Order to File Pre-Answer Response, Respondents have filed a Pre-Answer Response. Applicant has filed a Reply to the Pre-Answer Response. The Court has reviewed the Response and Reply and associated attachments. In order for the Court to complete initial review additional state court records are required,

Respondents, therefore, will be directed to provide to the Court the State Court Flat File in Case No. 03CR2296. Specifically, Respondents are to include the motion for new trial that Applicant filed on April 14, 2010, and the associated district court order filed on December 9, 2010, disposing of the April 14 motion. Respondents also are to confirm that ECF Nos 16-2 and 16-3 together are the memorandum of law supporting the Colo. R. Crim. P. Rule 35(c) postconviction motion Applicant filed in the district court on November 10, 2010, and to provide both the associated Rule 35(c) motion filed with

the memorandum of law and the district court order filed on April 8, 2011, disposing of the November 10 motion. Accordingly, it is

**ORDERED that within twenty-one days from the date of this Order**

Respondents shall submit the state court records as set forth above. It is

FURTHER ORDERED that the Clerk of the Court is directed to send copies of this order to the following:

- (1) Clerk of the Court  
Arapahoe County District Court  
7325 S. Potomac St.  
Centennial, Colorado 80112; and
- (2) Court Services Manager  
State Court Administrator's Office  
101 W. Colfax, Ste. 500  
Denver, Colorado 80202.

Dated: December 28, 2014

BY THE COURT:

s/Gordon P. Gallagher  
United States Magistrate Judge