

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-00559-BNB

RONNIE LEE RAILE,

Plaintiff,

v.

JOE ORTIZ (Executive Director Colorado Dept. of Corrections), and
CHRIS MACHETTE (Time Computation Supervisor/CDOC),

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR - 7 2006

GREGORY C. LANGHAM
CLERK

ORDER

In an order filed on March 28, 2006, the court directed the clerk of the court to commence this civil action and granted Plaintiff Ronnie Lee Raile leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Pursuant to § 1915(b)(1), the court ordered Mr. Raile either to pay an initial partial filing fee of \$10.00 or to show cause why he has no assets and no means by which to pay the designated initial partial filing fee. On April 5, 2006, Mr. Raile submitted to the court a letter stating that the complaint he filed was postdated November 1, 2006, because he lacks the funds to pay the initial partial filing fee and he lacks the knowledge or sufficient time in the law library to pursue the instant action at this time.

Mr. Raile may not file a postdated complaint and the court will not hold this action in abeyance until Mr. Raile is prepared to proceed. Therefore, Mr. Raile will be directed either to pay the initial partial filing fee or to show cause why he is unable to pay the initial partial filing fee if he wishes to pursue his claims in this action. Accordingly, it is

ORDERED that Mr. Raile shall have **thirty (30) days from the date of this order** either to pay the designated initial partial filing fee or to show cause as directed why he is unable to pay the initial partial filing fee. It is

FURTHER ORDERED that if Mr. Raile fails either to pay the initial partial filing fee or to show cause as directed, the complaint and the action will be dismissed without further notice.

DATED April 7, 2006, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO


CERTIFICATE OF MAILING

Civil Action No. 06-cv-00559-BNB

Ronnie L. Raile
Prisoner No. 47850
DCC – Unit 3
4102 Sawmill Mesa Road
Delta, CO 81416

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 4/7/06

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk