

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED

UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No.

06 - CV - 00704 - BB

APR 14 2006

LAWRENCE M. JIRON,
Plaintiff,

GREGORY C. LANGHAM
CLERK

v.

GOVERNOR BILL OWENS,
ATTORNEY GENERAL JOHN W. SUTHERS,
ROBERT W. OGBURN, Judge,
PETER L. COMA, District Attorney, and
O. JOHN KUENHOLD, Judge,
Defendants.

ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION AND
DISMISSING THE ACTION

Plaintiff Lawrence M. Jiron is a prisoner in the custody of the Colorado Department of Corrections at the Delta Correctional Center at Delta, Colorado. Mr. Jiron has submitted to the Court *pro se* a Prisoner Complaint, a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, a document titled "A Commercial Tort, Summons and Complaint," a document titled "Nunc Pro Tunc Motion Pursuant to 60 – Rule 60 of the F.R.C.P. – for Relief From Judgment and or Order," "Plaintiff's Motion for this Court's Reimbursement of All Cost of Copy(ing), Court Cost and or any Attorney's Fees," and a document titled "Plaintiff, 'Petition Pursuant to Court Order Seeking Leave to File a Pro-Se Action.'" The Clerk of the Court will be directed to commence a civil action. For the reasons stated below, the action will be dismissed.

Mr. Jiron has been permanently enjoined from filing any *pro se* civil complaints in this Court without first obtaining leave of court to proceed *pro se*. *See Jiron v.*

County of Alamosa, No. 95-cv-01075-EWN (D. Colo. Sept. 17, 1998). In order to obtain permission to proceed **pro se**, Mr. Jiron must submit with any complaint he seeks to file a "Petition Pursuant to Court Order Seeking Leave to File a **Pro Se** Action" and an affidavit that includes certain information specified in the sanction order. Although Mr. Jiron has filed a petition seeking leave to file a **pro se** action, that petition does not include the information specified in the sanction order and he has not filed the necessary affidavit. Accordingly, it is

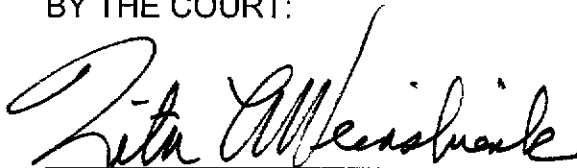
ORDERED that the clerk of the Court commence this civil action. It is

FURTHER ORDERED that Prisoner Complaint and the action are dismissed without prejudice because Plaintiff has failed to comply with the order enjoining him from filing **pro se** actions. It is

FURTHER ORDERED that the pending motions are denied as moot.

DATED at Denver, Colorado, this 12 day of April, 2006.

BY THE COURT:


ZITA L. WEINSHIENK, Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO


CERTIFICATE OF MAILING

Civil Action No. **06 - CV - 00704 - BJB**

Lawrence Jiron
Prisoner No. 116040
Delta Correctional Center
4102 Sawmill Mesa Rd.
Delta, CO 81416

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 4-14-06

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk