

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 07-cv-01497-PAB-KLM

ROSCOE WARE,

Plaintiff,

v.

RICHARD GALLEGOS,  
PAUL HOLLENBECK, and  
STATE OF COLORADO,

Defendants.

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**ORDER**

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In its Order [Docket No. 46] entered March 3, 2010, the Court granted plaintiff leave to file a motion to amend his complaint on or before March 29, 2010, and ordered that “[s]hould plaintiff fail to do so or should such a motion be denied under the applicable standard, this case will be dismissed with prejudice and judgment shall enter in favor of all defendants on all of plaintiff’s claims.” Plaintiff has failed to file a motion to amend his complaint.

The copy of the Order that was mailed to plaintiff at his last known address was returned as undeliverable [Docket No. 47]. Although he is required to do so, see D.C.COLO.LCivR 10.1M, plaintiff has failed to inform the court of his current mailing address. Plaintiff, therefore, bears responsibility for not receiving a copy of the Order. It is, therefore,

**ORDERED** that, as the Court indicated in its March 3, 2010 Order, this case is dismissed with prejudice and judgment shall enter in favor of defendants on all of plaintiff's claims.

DATED April 8, 2010.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge