

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-02094-BNB

GREGORY D. ALBRIGHT,

Plaintiff,

v.

STATE OF COLORADO,
BILL RITTER, Governor,
ARISTEDES W. ZAVARAS,
STEVE L. HARTLEY,
COLORADO DEPARTMENT OF CORRECTIONS,
MR. KAHANIC,
MRS. KAHANIC,
LT. FOX,
MS. COSTNER, and
ROBERT HOUSTON,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 08 2008

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff Gregory D. Albright initiated this action by filing *pro se* a Prisoner Complaint. On October 15, 2007, Mr. Albright filed on the proper form an amended Prisoner Complaint pursuant to 42 U.S.C. § 1983 alleging that his constitutional rights have been violated. On October 31, 2007, Magistrate Judge Boyd N. Boland ordered Mr. Albright to file a second amended complaint within thirty days that complies with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Mr. Albright was warned that the action would be dismissed without further notice if he failed to file a second amended complaint within the time allowed. In an order filed on November 21, 2007, the Court overruled Mr. Albright's objections to Magistrate Judge Boland's order

directing him to file a second amended complaint. On November 30, 2007, Magistrate Judge Boland entered a minute order granting Mr. Albright an extension of time of sixty days to file a second amended complaint.

Mr. Albright has failed within the time allowed to file a second amended complaint as directed. Therefore, the action will be dismissed. Accordingly, it is

ORDERED that the complaint, the amended complaint, and the action are dismissed without prejudice for failure to file a second amended complaint as directed.

DATED at Denver, Colorado, this 7 day of February, 2008.

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge
United States District Court

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CERTIFICATE OF MAILING

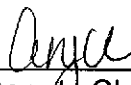
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Gregory D. Albright
Prisoner No. 95774
Limon Correctional Facility
49030 State Highway 71
Limon, CO 80826

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 2/8/8

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk