

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-02490-BNB

JAMES H. HARRELL,

Plaintiff,

v.

PATRICK J. SULLIVAN FACILITY, and  
ARAPAHOE COUNTY DETENTION FACILITY, and  
ARAPAHOE MAINTENANCE & CONTRACTORS,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

FEB 1 2008

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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Plaintiff James H. Harrell initiated this action by filing a *pro se* Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. On November 30, 2007, Magistrate Judge Boyd N. Boland entered an order directing the Clerk of the Court to commence a civil action and instructing Mr. Harrell to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Harrell to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and to name the same defendants in both the caption and the text of the Prisoner Complaint. Mr. Harrell was warned that the Complaint and the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Harrell has failed to cure the deficiencies within the time allowed. Therefore, the Complaint and the action will be dismissed without prejudice. Accordingly, it is

ORDERED that the Complaint and the action are dismissed without prejudice for failure to cure the deficiencies.

DATED at Denver, Colorado, this 31 day of Jan., 2008.

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. 07-cv-02490-BNB

James H. Harrell  
Prisoner No. 06-0364  
Arapahoe County Det. Facility  
PO Box 4918  
Centennial, CO 80155

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the  
above-named individuals on 2/1/08

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk