

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 07-cv-02574-ZLW

LARRY J. RUSSOM,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS (C.D.O.C.),
JOE ORTIZ,
JAMES JIMERSON,
JOSEPH HALLIGAN, and
PATRICIA MOSHER,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 05 2008

GREGORY C. LANGHAM
CLERK

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE ZITA L. WEINSHIENK


This matter is before the Court on the letter to the clerk of the Court that Plaintiff, Larry J. Russom, submitted to and filed with the Court on February 4, 2008. In the letter, Mr. Russom asserts that he paid the \$15.00 initial partial filing fee, and that the Court should not have dismissed the instant action for failure to pay that fee. The Court has researched its records and learned that on December 21, 2007, the \$15.00 initial partial filing fee was received by the Court but inadvertently was not docketed. Therefore, the Order of Dismissal and Judgment entered on January 25, 2008, are VACATED.

The clerk of the Court is directed to docket a copy of the December 21 receipt mailed to Mr. Russom. The Court will proceed to review the complaint that Mr. Russom submitted to and filed with the Court on December 11, 2007, in the instant action. Plaintiff is reminded that he must continue to make monthly filing fee payments or to show cause why he is unable to do so in accordance with the December 11, 2007, order granting him leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Failure to do so may result in the dismissal of the instant action.

Dated: February 5, 2008

Copies of this Minute Order mailed on February 5, 2008, to the following:

Larry J. Russom # 114454
Buena Vista Correctional Complex
PO Box 2017
Buena Vista, CO 81211


Secretary/Deputy Clerk