

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Wiley Y. Daniel

Civil Action No. 08-cv-00565-WYD-KMT

CESAR ANTONIO SALAS,

Plaintiff,

v.

SECRETARY CHERTOFF, Secretary for Homeland Security; and
JAIME ESPARZA, District Attorney for El Paso County, Texas,

Defendants.

ORDER OF DISMISSAL

THIS MATTER is before the Court on review of the file. A Petition for Writ of Habeas Corpus, was filed on March 19, 2008. To date, Petitioner has taken no action with respect to this case. On April 6, 2009, I issued a Minute Order requiring Counsel for Petitioner to file a Status Report in this case no later than April 17, 2009, discussing whether Petitioner is currently in custody and, if so, Petitioner's last known address, and/or whether this case is moot. To date, Counsel for Petitioner has failed to respond, and a copy of the Minute Order was returned undeliverable. Therefore, pursuant to D.C.COLO.LCivR 41.1, this case is hereby **DISMISSED WITH PREJUDICE** for lack of prosecution, and failure to comply with the Court's Minute Order of April 6, 2009.

Dated: April 20, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge