

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02249-KLM-MEH

ROY D. SPENCER,

Plaintiff,

v.

U.S. POSTAL SERVICE and,  
JOHN E. POTTER, Postmaster General,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court *sua sponte*. In its Order of February 1, 2010 [Docket No. 61], the Court directed Plaintiff to cure deficiencies in his Notice of Appeal [Docket No. 58] by either submitting his filing fee or filing a Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24. This Order was issued in error, as Plaintiff previously filed a Motion for Leave to Proceed Pursuant to 28 U.S.C. § 1915 [Docket No. 1]. Accordingly,

IT IS HEREBY **ORDERED** that the Order of February 1, 2010 is **VACATED**. The Court will review Plaintiff's previously filed *Motion* [#1].

Dated: February 2, 2010