

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02820-BNB

JUAN MANUEL GONZALES,

Applicant,

v.

PEOPLE OF THE STATE OF COLORADO,
COLORADO DEPT. OF CORRECTIONS,
WARDEN MILYARD, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 19 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

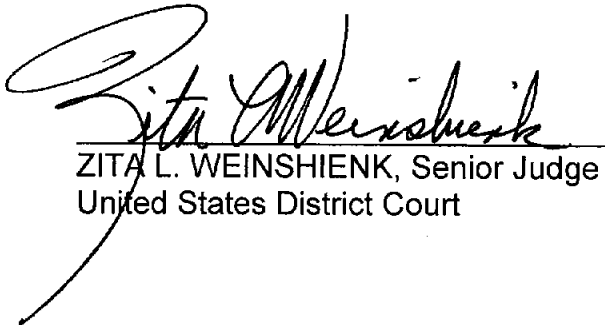
Applicant Juan Manuel Gonzales initiated this action by filing *pro se* an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 3, 2009, Magistrate Judge Boyd N. Boland ordered Mr. Gonzales to file an amended application for a writ of habeas corpus that clarifies the claims he is asserting in this action. Mr. Gonzales was warned that the action would be dismissed without further notice if he failed to file an amended habeas corpus application within thirty days.

Mr. Gonzales has failed to file an amended application for a writ of habeas corpus within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's February 3 order. Therefore, the application will be denied and the action will be dismissed without prejudice for failure to file an amended application as directed. Accordingly, it is

ORDERED that the habeas corpus application is denied and the action is dismissed without prejudice for failure to file an amended application as directed.

DATED at Denver, Colorado, this 18 day of March, 2009.

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. 08-cv-02820-BNB

Juan Manuel Gonzales
Prisoner No. 127115
Sterling Correctional Facility
PO Box 6000 - Unit 23-B
Sterling, CO 80751

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 3/19/09

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk