

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00171-ZLW

DAVID L. JACKSON,

Applicant,

v.

BLAKE R. DAVIS,

Respondent.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUN 12 2009

GREGORY C. LANGHAM  
CLERK

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ORDER

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Applicant David L. Jackson is in the custody of the United States Bureau of Prisons and currently is incarcerated at the United States Penitentiary in Florence, Colorado. The matter before the Court is the Letter that Mr. Jackson, a *pro se* litigant, filed on June 4, 2009, in the instant action. In the Letter, Mr. Jackson requests that a filing fee submitted to the Court in a new action he alleges he initiated on April 2, 2009, be transferred to the instant action. Mr. Jackson also requests a status report on the disposition of the instant action, and the action he sought to initiate on April 2, 2009.

First, the Court did not initiate a new action with respect to the application form that Mr. Jackson filed on April 2, 2009. The Court also has no record of a \$5.00 filing fee being submitted to the Court with the application form submitted on April 2, 2009. Furthermore, since Mr. Jackson failed to submit a filing fee in the instant action within the time he was instructed to do so, the instant action was dismissed on June 4, 2009.

The Court also notes that Mr. Jackson requested reinstatement of the instant case on March 16, 2009, which the Court did on April 1, 2009. There was no indication that the application form he filed on April 2, 2009, was intended to initiate a new action. The April 2, 2009, application form included the exact same claims that Mr. Jackson submitted in the application form he filed on January 21, 2009, to initiate the instant action.


The Court will not reinstate this case. Mr. Jackson is directed to file a new action if he desires to pursue the claims he asserts in the instant action. Accordingly, it is

ORDERED that in response to Mr. Jackson's Letter, filed on June 4, 2009, no \$5.00 filing fee was filed with the application form on April 2, 2009. It is

FURTHER ORDERED that the Court will not reinstate the instant action, and Mr. Jackson is directed to file a new action if he desires to pursue the claims he asserts in the instant action.

DATED at Denver, Colorado, this 11 day of June, 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. 09-cv-00171-ZLW

David L. Jackson  
Reg. No. 27944-013  
USP - Florence  
PO Box 7000  
Florence, CO 81226

I hereby certify that I have mailed and a copy of the **ORDER** to the above-named individuals on 6/12/09

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_

Deputy Clerk