

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00188-BNB

MARTEL TAMAR SANDERS,

Petitioner,

v.

B. DAVIS,

Respondent.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 19 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL


On January 22, 2009, Petitioner Martel Tamar Sanders, a federal prisoner who currently is housed in the State of Colorado at the United States Penitentiary in Florence, Colorado, submitted to the Court a pleading titled, "Form for Use in Applications for Habeas Corpus Under 28 U.S.C. § 2241, et. seq." Magistrate Judge Boyd N. Boland signed an order, on January 29, 2009, that directed the Clerk of the Court to commence a civil action and instructed Mr. Sanders to cure the deficiencies in the pleading. Mr. Sanders specifically was directed to submit his claims on a Court-approved form used in filing 28 U.S.C. § 2241 actions in this Court and to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action or in the alternative pay the \$5.00 filing fee. The proper Court-approved form used in filing a § 2241 action was sent to Mr. Sanders along with Magistrate Boland's Order to Cure.

On January 30, 2009, Mr. Sanders paid the filing fee. Although on March 4, 2009, he submitted exhibits to the Court, he now has failed to file his claims on a proper Court-approved form as he was instructed to do. Mr. Sanders, therefore, has failed to cure all deficiencies within the time allowed. Accordingly, it is

ORDERED that the Application is denied and the action is dismissed without prejudice for failure to cure all deficiencies.

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

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge
United States District Court

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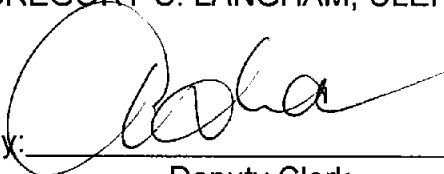
CERTIFICATE OF MAILING

Civil Action No. 09-cv-00188-BNB

Martel Tamar Sanders
Reg. No. 39849-180
USP - Florence
PO Box 7000
Florence, CO 81226

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