

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00204-BNB

R. THOMPSON,

Applicant,

v.

[NO NAMED RESPONDENT],

Respondent.

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

MAR 19 2009

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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Applicant, R. Thompson, is a prisoner who currently is incarcerated at the Arizona Prison Complex in Tucson, Arizona. He attempted to initiate this action by submitting to the Court *pro se* a motion for discovery. The Court reviewed the motion and determined it was deficient. Therefore, in an order filed on February 3, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Thompson to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

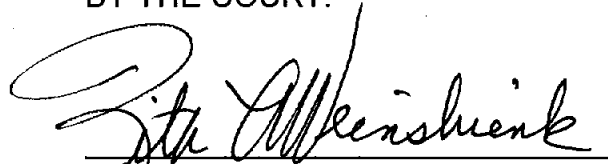
The February 3, 2009, order pointed out that Mr. Thompson failed either to pay the \$5.00 filing fee or to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. The February 3 order also pointed out that Mr. Thompson failed to submit an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 on the proper, Court-approved form. The order warned Mr. Thompson that if he failed to cure the designated deficiencies within thirty

days, the action would be dismissed without prejudice and without further notice. On February 17, 2009, the order was returned to the Court in an envelope stamped "No Longer in ADC Custody." Mr. Thompson has failed within the time allowed to cure the deficiencies listed in the February 3 order or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the motion for discovery is denied, and the action is dismissed without prejudice for failure to cure and for failure to prosecute.

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

BY THE COURT:

A handwritten signature in black ink, appearing to read "Zita Weinsienk", written over a horizontal line.

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-00204-BNB

R. Thompson  
Prisoner No. 120349  
Arizona Prison Complex  
10,000 Wilmot Road  
Tuscon, AZ 85734

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