

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00484-BNB

ANDRE J. TWITTY,

Plaintiff,

v.

TROY EID, U.S. Attorney,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 17 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Andre J. Twitty, submitted *pro se* a document titled "Motion for Writ of Mandamus to Compel the Respondent to Convene a Federal Grand Jury to Investigate the 'Flagrant Abuse of Discretion' of the U.S. District Court, Tenth Circuit Court of Appeals [sic] Judges, Clerks, Staff Attorney, Criminal Violations of Federal Law. Brief in Support." As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, the Court determined that the submitted document was deficient.

Notwithstanding the deficiencies, in an order filed on March 6, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action. Mr. Twitty was directed to cure certain enumerated deficiencies if he wished to pursue his claims. He specifically was directed to submit within thirty days a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 or to pay the \$350.00 filing fee, and to submit his complaint on the proper, Court-approved, Prisoner Complaint form. The March 6 order warned Mr. Twitty that if he failed to cure the designated


deficiencies as directed within the time allowed, the action would be dismissed without further notice. Mr. Twitty has failed within the time allowed to cure the designated deficiencies or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the action is dismissed without prejudice for the failure of Plaintiff, Andre J. Twitty, to cure the designated deficiencies within the time allowed and for his failure to prosecute. It is

FURTHER ORDERED that the document titled "Motion for Writ of Mandamus to Compel the Respondent to Convene a Federal Grand Jury to Investigate the 'Flagrant Abuse of Discretion' of the U.S. District Court, Tenth Circuit Court of Appeals [sic] Judges, Clerks, Staff Attorney, Criminal Violations of Federal Law. Brief in Support" is denied as moot.

DATED at Denver, Colorado, this 16 day of April, 2009.

BY THE COURT:


ZITA L. WEINSHIENK, Senior Judge
United States District Court

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FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

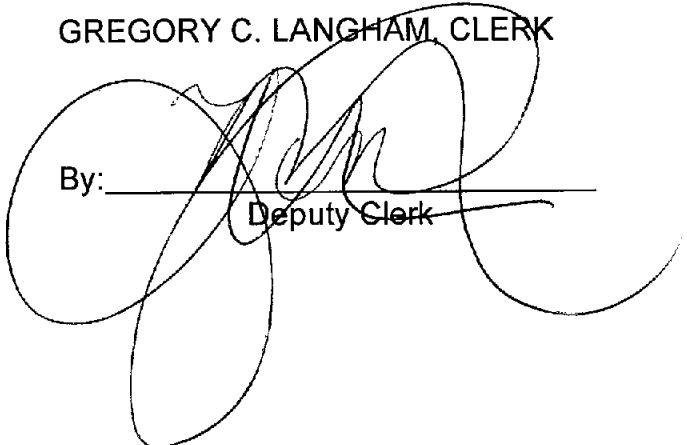
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Andre J. Twitty
Reg. No. 18558-018
ADX – Florence
PO Box 8500
Florence, CO 81226-8500

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 4/17/09

GREGORY C. LANGHAM, CLERK

By: _____


Deputy Clerk