

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00824-BNB

RICHARD A. RAMOS,

Plaintiff,

v.

MESA COUNTY PAROLE DEPARTMENT,
MESA COUNTY DETENTION FACILITY,
MESA COUNTY SHERIFFS OFFICE,
STAN HILKEY, and
ROBERT ARMENTA,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 04 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff Richard Ramos currently is detained at the Mesa County Detention Facility in Grand Junction, Colorado. Mr. Ramos initiated the instant action on April 3, 2009, by submitting to the Court a Civil Complaint. Upon review of the merits of the Complaint, Magistrate Judge Boyd N. Boland entered an order, on April 15, 2009, directing Plaintiff to file an Amended Complaint. Mr. Ramos specifically was instructed to amend the Complaint in keeping with *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1163 (10th Cir. 2007). He also was directed to assert personal participation by each properly named defendant.

Plaintiff now has failed to communicate with the Court, and as a result he has failed to comply with Magistrate Judge Boland's April 15, 2009, Order to File an Amended Complaint within the time allowed.

Upon review of the Complaint, the Court finds that Magistrate Judge Boland correctly determined that Plaintiff's Complaint is deficient and that he is required to amend the Complaint in keeping with **Nasious** and to assert personal participation by each properly named defendant. Therefore, the Complaint will be dismissed for failure to amend and to prosecute. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice for failure to file an Amended Complaint and for failure to prosecute.

DATED at Denver, Colorado, this 3 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-00824-BNB

Richard A. Ramos
Prisoner No. 212345
Mesa County Detention Facility
P.O. Box 20,000
Grand Junction, CO 81502

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 6/4/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk