

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01076-BNB

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JONATHAN LEE RICHES d/b/a BERNARD MADOFF,

JUN 18 2009

Plaintiff,

GREGORY C. LANGHAM
CLERK

v.

SWINE FLU, a/k/a Human Swine Influenza, a/k/a Hemophilus Influenzae, et al.,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Jonathan Lee Riches, is a prisoner in the custody of the United States Bureau of Prisons who currently is incarcerated at the Federal Medical Center in Lexington, Kentucky. He submitted to the Court *pro se* a motion titled "Preliminary Injunction, Temporary Restraining Order I Face Imminent Danger and Bodily Harm."

The Court reviewed the document and determined it was deficient. Therefore, in an order filed on May 8, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Riches to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

The May 8, 2009, order pointed out that Mr. Riches failed to submit either the \$350.00 filing fee or to file on the proper, Court-approved form a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. The order also pointed out that Mr. Riches failed to submit on the proper, Court-approved form a Prisoner Complaint. The order warned Mr. Riches that if he failed to cure the designated

deficiencies within thirty days, the action would be dismissed without prejudice and without further notice. Mr. Riches has failed within the time allowed to cure the designated deficiencies or otherwise to communicate with the Court in any way.

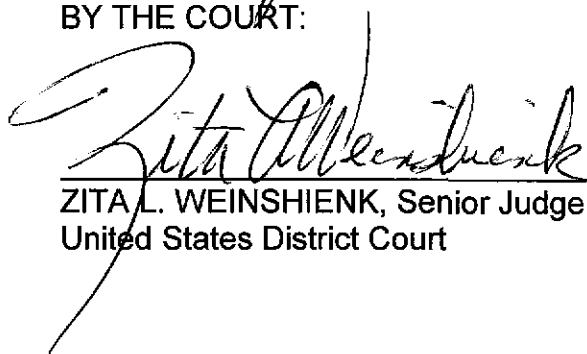
Accordingly, it is

ORDERED that the action is dismissed without prejudice for failure to cure and for failure to prosecute. It is

FURTHER ORDERED that the motion for a preliminary injunction and a temporary restraining order is denied as moot.

DATED at Denver, Colorado, this 18 day of June, 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-01076-BNB

Jonathan Lee Riches
d/b/a Bernard Madoff
Reg. No. 40948-018
Federal Medical Center
PO Box 14500
Lexington, KY 40512

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 6/18/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk