

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01097-BNB

ANTHONY MICHAEL SANDOVAL,

Plaintiff,

v.

WARDEN KEVIN MILYARD,
LT: JASON SWIRN,
C/M PETERSON, and
LT: OWENS,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

AUG -6 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Anthony Michael Sandoval, is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Sterling, Colorado, correctional facility. He filed *pro se* a civil rights complaint pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) and various other statutes for money damages and injunctive relief. He has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 without payment of an initial partial filing fee.

On June 25, 2009, Magistrate Judge Boyd N. Boland ordered Mr. Sandoval to file within thirty days an amended complaint that complied with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure and that alleged each Defendant's personal participation in the asserted claims. Magistrate Judge Boland warned Mr. Sandoval that if he failed to comply with the directives of the June 25 order


within the time allowed, the complaint and the action would be dismissed without further notice.

Mr. Sandoval has failed within the time allowed to file an amended complaint as directed or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the complaint and the action are dismissed without prejudice for the failure of Plaintiff, Anthony Michael Sandoval, to file within the time allowed an amended complaint that complied with the directives of the June 25, 2009, order and for his failure to prosecute.

DATED at Denver, Colorado, this 5 day of Aug., 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-01097-BNB

Anthony Michael Sandoval
Prisoner No. 135001
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 7/6/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk