

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01250-BNB

DARRELL LAMONT BAILEY,

Applicant,

v.

UNITED STATES OF AMERICA,
GEN. COUN. WATTS,
DIR. LAPPIN, and
A.G.,

Respondents.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUL 15 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

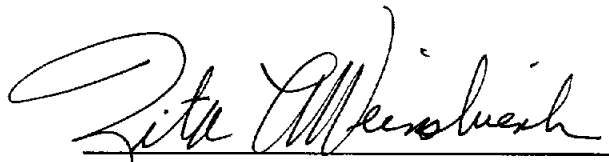
Applicant Darrell Lamont Bailey is in the custody of the United States Bureau of Prisons and currently is incarcerated at the United States Penitentiary in Florence, Colorado. Applicant initiated this action by filing a *pro se* pleading titled, "Writ Habeas Corpus" In an order entered on May 29, 2009, Magistrate Judge Boyd N. Boland directed the Clerk of the Court to commence a civil action and instructed Mr. Bailey to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Bailey to file his claims on a Court-approved form used in filing 28 U.S.C. § 2241 actions and either to pay the filing fee or to file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Bailey was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

On June 8, 2009, Mr. Bailey filed a pleading titled, "Traverse." For the most part the pleading is unintelligible. Mr. Bailey does state in the pleading, however, that he sent a \$5.00 payment to the Court on April 13, 2009. The Court has no record of receiving a \$5.00 payment. Nonetheless, Mr. Bailey has failed to submit his claims on a current Court-approved form within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure all noted deficiencies. Accordingly, it is

ORDERED that the Application is denied and the action is dismissed without prejudice for failure to cure all deficiencies.

DATED at Denver, Colorado, this 15 day of July, 2009.

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge
United States District Court

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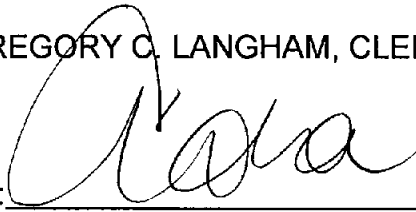
CERTIFICATE OF MAILING

Civil Action No. 09-cv-01250-BNB

Darrell Lamont Bailey
Reg. No. 00973-424
ADX - Florence
PO Box 8500
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 7/15/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk