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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01492-BNB

ZACHARY PAUL MORENO,

Plaintiff,

v.

THE STATE OF COLORADO,  
ADAMS COUNTY,  
COMMERCE CITY POLICE DEPARTMENT, and  
DON QUICK,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

SEP 03 2009

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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Plaintiff, Zachary Paul Moreno submitted to the Court *pro se* two letters, a "Motion for Leave to Proceed [sic] in Forma Pauperis and to File Without Payment of Filing Fee with Supporting [sic] Financial Affidavit Pursuant [sic] to U.S.C. 28 § 1915.2 [sic]," and a "Motion to Seek Civil Action Pursuant to U.S.C. 42 § 1983 Granting Summary [sic] Judgment Without Adjudication." The Court reviewed the documents and determined they were deficient. Therefore, in an order filed on June 25, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Moreno to cure certain enumerated deficiencies in the case within thirty days if he wished to pursue his claims.

The June 25, 2009, order pointed out that Mr. Moreno failed to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 on the proper, Court-approved form. The order also pointed out that Mr. Moreno failed to

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submit a complaint on the proper, Court-approved form. The order warned Mr. Moreno that if he failed to cure the designated deficiencies within thirty days, the action would be dismissed without prejudice and without further notice. On July 21, 2009, Magistrate Judge Boland granted Mr. Moreno a thirty-day extension of time in which to cure the designated deficiencies. Mr. Moreno has failed within the time allowed to cure the designated deficiencies or otherwise to communicate with the Court in any way.

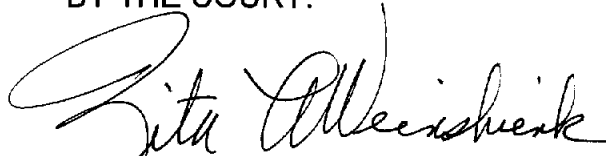
Accordingly, it is

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

FURTHER ORDERED that the pending motions are denied as moot.

DATED at Denver, Colorado, this 2 day of Sept., 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-01492-BNB

Zachary Paul Moreno  
525 5<sup>th</sup> Street  
San Francisco, CA 94118-3928

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 9/3/09

GREGORY C. LANGHAM CLERK

By: 

Deputy Clerk