

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01550-BNB

ALBERT F. MORRISON,

Plaintiff,

v.

BLAKE R. DAVIS, Warden, et al.,
A. W. HOLLAND,
A. W. MILUSNIC,
MRS. WILNER, Unit Manager, B/A Unit, and
KRATZBERG, Counselor, B/A Unit,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

AUG 11 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff Albert F. Morrison initiated this action by filing *pro se* a document titled "Writ of Mandamus." In an order filed on July 1, 2009, Magistrate Judge Craig B. Shaffer directed the clerk of the Court to commence a civil action and directed Mr. Morrison to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Shaffer ordered Mr. Morrison to file his pleading on the proper Prisoner Complaint form 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. Morrison was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Morrison has failed to cure the deficiencies within the time allowed and he has failed to respond in any way to Magistrate Judge Shaffer's July 1 order. Therefore,

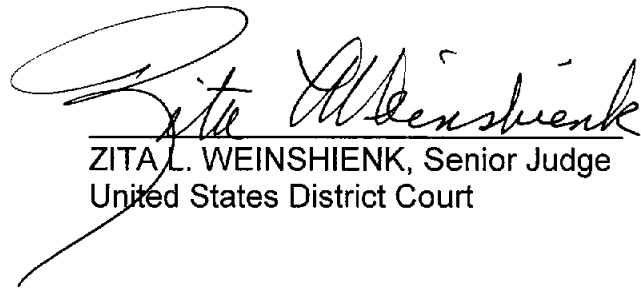
the action will be dismissed without prejudice for failure to cure the deficiencies.

Accordingly, it is

ORDERED that the "Writ of Mandamus" is denied and the action is dismissed without prejudice for failure to cure the deficiencies.

DATED at Denver, Colorado, this 11 day of Aug, 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-01550-BNB

Albert F. Morris
Reg No. 06857-084
US Penitentiary - Florence
P.O. Box 7000
Florence, CO 81226-7000

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 8/11/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk