

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01971-BNB

THOMAS L. DAVIS, #20021-039,

Plaintiff,

v.

OFFICER SCOTT DOVE, and  
OFFICER K. ESTRADA,

Defendants.

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MINUTE ORDER

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ORDER ENTERED BY MAGISTRATE JUDGE BOYD N. BOLAND

This matter is before the Court on the "Motion to Delay Proceedings" that Plaintiff filed with the Court on October 5, 2009 (Doc. # 17). Mr. Davis apparently seeks to stay the instant action for an unspecified amount of time due to his pending transfer to a federal facility in California. Plaintiff further requests that the Court "take charge" of his inmate trust fund account. However, in the September 17, 2009, Order, granting Mr. Davis leave to proceed pursuant to 28 U.S.C. § 1915, and directing him to pay a \$1.00 initial partial filing fee, the Court informed Mr. Davis that it was his responsibility to make the necessary arrangements to pay the designated fee. Mr. Davis does not explain how the transfer to California affects his ability to pay the fee, and the Court cannot "take charge" of his inmate trust fund account.

Accordingly, the Motion (Doc. # 17) is DENIED. Mr. Davis continues to have **thirty (30) days from the date of the September 17, 2009, Order** granting him leave to proceed pursuant to 28 U.S.C. § 1915, to either pay the \$1.00 initial partial filing fee owed in this action or to show cause why he cannot. Failure to do so within the time allowed will result in the dismissal of the instant action.

Dated: October 6, 2009

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