

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01980-BNB

JAMES R. SARDAKOWSKI,

Plaintiff,

v.

[NO DEFENDANT NAMED],

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT -2 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

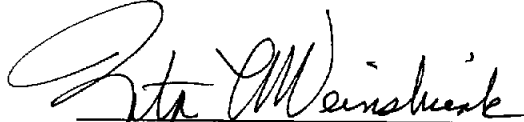
Plaintiff James R. Sardakowski initiated this action by filing *pro se* a letter to the Court complaining about improper medical and mental health care and seeking injunctive relief. In an order filed on August 20, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Sardakowski to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Sardakowski to file a Prisoner Complaint 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. Sardakowski was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Sardakowski has failed to cure the deficiencies within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's August 20 order. Therefore, the action will be dismissed without prejudice for failure to cure the deficiencies. Accordingly, it is

ORDERED that the action is dismissed without prejudice for failure to cure the deficiencies.

DATED at Denver, Colorado, this 1st day of Oct., 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

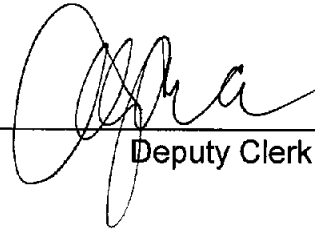
Civil Action No. 09-cv-01980-BNB

James R. Sardakowski
Prisoner No. 133162
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 10/2/09.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk