

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01983-BNB

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JERRY LEWIS DEDRICK,

NOV 04 2009

Applicant,

GREGORY C. LANGHAM  
CLERK

v.

J. M. WILNER, Warden,

Respondent.

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ORDER OF DISMISSAL

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Applicant Jerry Lewis Dedrick, acting *pro se*, initiated this action by filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. On September 23, 2009, the Court entered an order dismissing the action in part, because Mr. Dedrick's claim regarding his future supervisory release is not ripe for consideration. The Court also found that Mr. Dedrick's other claim regarding his required participation in a drug abuse education program more properly is raised in a prisoner complaint pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). The Court instructed Mr. Dedrick to file his remaining claim on a Court-approved Prisoner Complaint form within thirty days of the September 23, 2009, Order.

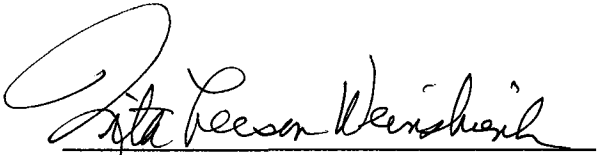
Mr. Dedrick now has not communicated with the Court, and as a result he has failed to comply with the September 23, 2009, Order within the time allowed.

Therefore, the Complaint and action will be dismissed. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice for failure to comply with the September 23, 2009, Order and for failure to prosecute.

DATED at Denver, Colorado, this 4<sup>th</sup> day of November, 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-01983-BNB

James Lewis Dedrick  
Reg No. 27140-180  
US Penitentiary  
P.O. Box 7000  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the  
above-named individuals on 11/4/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk