

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02020-BNB

JERALENE A. MARISCO,

Applicant,

v.

UNITED STATES DISTRICT COURT,

Respondent.

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

JAN 21 2010

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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In an order filed on October 21, 2009, the Court denied Applicant leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and directed her to pay the \$5.00 filing fee if she wished to pursue her claims in this action. Applicant was warned that the action would be dismissed without further notice if she failed to pay the filing fee within thirty days. A copy of the Court's October 21 order was mailed to Applicant at the address she provided in the habeas corpus applications filed on September 29, 2009. On November 24, 2009, Magistrate Judge Boyd N. Boland entered a minute order directing the clerk of the Court to mail a copy of the Court's October 21 order to Applicant at her prison address. Copies of Magistrate Judge Boland's November 24 minute order actually were mailed to Applicant at two different prisons. On December 8, 2009, the copy of Magistrate Judge Boland's November 24 minute order that was mailed to Applicant at the La Vista Correctional Facility was returned to the Court undelivered.


Applicant has failed within the time allowed to pay the filing fee and she has failed to respond to the Court's order directing her to pay the filing fee in any way. Therefore, the action will be dismissed. Accordingly, it is

ORDERED that the habeas corpus applications are denied and the action is dismissed without prejudice because Applicant failed to pay the filing fee. It is

FURTHER ORDERED that no certificate of appealability will issue because Applicant has not made a substantial showing of the denial of a constitutional right.

DATED at Denver, Colorado, this 20 day of January, 2010.

BY THE COURT:



CHRISTINE M. ARGUELLO  
United States District Judge, for  
ZITA LEESON 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-02020-BNB

Jeralene A. Marisco  
Prisoner No. 118532  
Denver Women's Corr. Facility  
PO Box 392005  
Denver, CO 80239

Jeralene A. Marisco  
Prisoner No. 118532  
La Vista Corr. Facility  
1401 W. 17<sup>th</sup> St.  
Pueblo, CO 81003

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 1/21/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk