

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02022-BNB

JAY A. SCHELL,

Plaintiff,

v.

DR. PRITCHER, H.S.C.,
ARAPAHOE COUNTY DETENTION FACILITY, and
OTHER "HEALTH SERVICE REPS" AND MEDICAL STAFFS @ ABOVE AGENCY,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 20 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

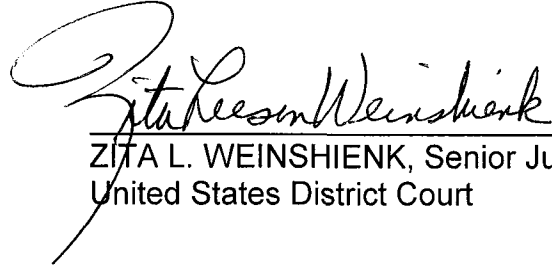
Plaintiff Jay A. Schell is a prisoner in the custody of the Colorado Department of Corrections. Mr. Schell initiated this action by filing *pro se* two different versions of a Prisoner Complaint pursuant to 42 U.S.C. § 1983. On September 3, 2009, Mr. Schell filed an amended Prisoner Complaint. On September 30, 2009, Magistrate Judge Boyd N. Boland ordered Mr. Schell to file a second amended complaint that clarifies both who he is suing as well as the specific claims for relief he is asserting against each named Defendant. Mr. Schell was warned that the action would be dismissed without further notice if he failed to file a second amended complaint within thirty days.

Mr. Schell has failed to file a second amended complaint within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's September 30 order. Therefore, the action will be dismissed without prejudice for failure to file a second amended complaint as directed. Accordingly, it is

ORDERED that the original Prisoner Complaints, the amended Prisoner Complaint, and the action are dismissed without prejudice for failure to file a second amended complaint as directed.

DATED at Denver, Colorado, this 19 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-02201-BNB

Jay A. Schell
Prisoner No. 122066
DRDC
P.O. Box 382004 - Unit 4-B
Denver, CO 80239-8004

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 11/20/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk