

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02066-BNB

JULIUS ALCORN,

Plaintiff,

v.

B. DAVIS, Warden, ADX Florence,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT 21 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff Julius Alcorn, a federal prisoner in Colorado, initiated this action by filing *pro se* a letter to the Court stating that he intends to file a civil action against prison officials and that he cannot submit the filing fee without a case number. In an order filed on August 31, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Alcorn to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Alcorn to file a Prisoner Complaint and either to pay the filing fee or to file a properly supported motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Alcorn was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

On September 11, 2009, an inmate named Robert Utley filed a letter to the Court in this action. However, Mr. Alcorn 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

31 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 21 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-02066-BNB

Julius Alcorn
Reg No. 20846-112
US Penitentiary ADX
P.O. Box 8500
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 10/21/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk