

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02069-BNB

STEVEN COPELAND,

Plaintiff,

v.

ARISTEDES W. ZAVARAS,  
KEVIN MILYARD, and  
JOSEPH HALLIGAN,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

NOV 05 2009

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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Plaintiff, Steven Copeland, is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Sterling, Colorado, correctional facility. Mr. Copeland filed *pro se* a civil rights complaint for money damages and injunctive relief pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3). He was granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 without payment of an initial partial filing fee.

On September 4, 2009, Magistrate Judge Boyd N. Boland ordered Mr. Copeland to file within thirty days an amended complaint that is double-spaced and legible in compliance with D.C.COLO.LCivR 10.1E. and G, that asserts the personal participation of each named defendant, and that complies with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. The September 4 order warned Mr. Copeland that if he failed to do so within the time allowed, the complaint and the action would be dismissed without further notice.

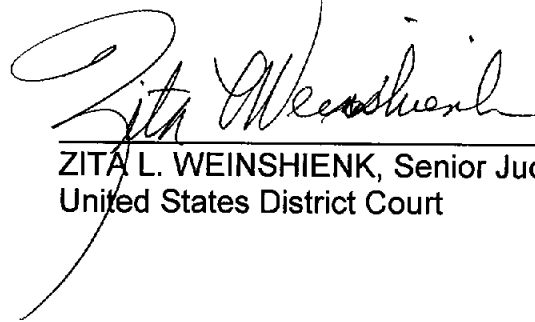
Mr. Copeland has failed within the time allowed to file an amended complaint as directed or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the complaint and the instant action are dismissed without prejudice for the failure of Plaintiff, Steven Copeland, within the time allowed to comply with the September 4, 2009, order for an amended complaint and for his failure to prosecute. It is

FURTHER ORDERED that the motion to amend filed on August 31, 2009, is denied as moot.

DATED at Denver, Colorado, this 5<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**

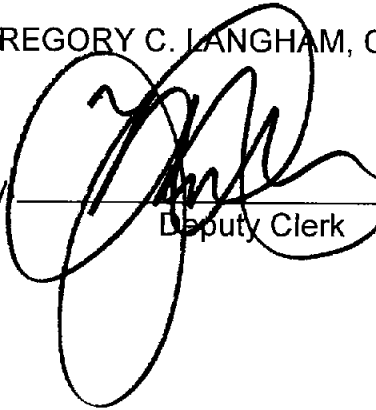
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Steven Copeland  
Prisoner No. 47924  
Sterling Correctional Facility  
PO Box 6000  
Sterling, CO 80751

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to  
the above-named individuals on 11/6/09

GREGORY C. LANGHAM, CLERK

By



Deputy Clerk