

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02089-BNB

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

GENE ALLEN,

DEC 11 2009

Plaintiff,

GREGORY C. LANGHAM
CLERK

v.

THE PEOPLE OF THE STATE OF COLORADO, and
ADAMS COUNTY COURT CLERK, Brighton, Colo.,

Defendants.

ORDER OF DISMISSAL

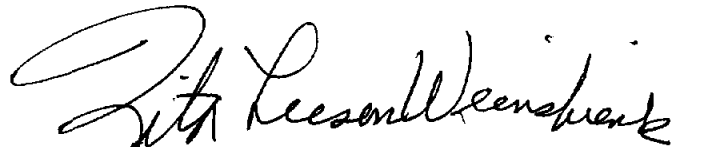
On October 23, 2009, Mr. Allen, a State of Utah prisoner who currently is incarcerated at the Lovelock, Nevada, Correctional Center, was denied leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(g). The Court instructed Mr. Allen to pay the entire \$350.00 filing fee within thirty days if he wished to pursue his claims in this action. The Court warned Mr. Allen that if he failed to pay the filing fee within thirty days the Complaint and the action would be dismissed.

Mr. Allen now has failed to pay the filing fee within the time allowed. The Complaint and the action, therefore, will be dismissed. Accordingly, it is

ORDERED that the Complaint and the action are dismissed without prejudice because Mr. Allen failed to pay the \$350.00 filing fee in full within the time allowed.

DATED at Denver, Colorado, this 11 day of Dec., 2009.

BY THE COURT:



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-02089-BNB

Gene Allen
Prisoner No. 76542
Lovelock Correctional Center
1200 Prison Rd.
Lovelock, NV 89419

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 12/11/09

GREGORY C. LANGHAM, CLERK

By: _____

Deputy Clerk