

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02150-BNB

DAVID JACKSON,

Plaintiff,

v.

VERA JACKSON, et al.,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT 21 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff David Jackson initiated this action by filing *pro se* a “Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915” and a document titled “Notice of Removal.” Despite the fact that Mr. Jackson filed a document titled “Notice of Removal,” he did not remove any action to this Court. Therefore, in an order filed on September 9, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Jackson to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Jackson to file a complaint on the proper form as required by the Court’s local rules, *see* D.C.COLO.LCivR 8.1A, to include the names of all of the parties in the caption of the complaint, and to submit a notarized affidavit in support of the motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Jackson 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, Mr. Jackson filed a "Motion to Recuse All Magistrate Judges and Motion for a Jury Trial," a "Motion for Leave to Proceed on Appeal Without Prepayment of Costs or Fees," and a "Certificate of Service." However, Mr. Jackson has failed within the time allowed to cure the deficiencies identified by Magistrate Judge Boland in his September 9 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. It is

FURTHER ORDERED that the "Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915," the "Motion to Recuse All Magistrate Judges and Motion for a Jury Trial," and the "Motion for Leave to Proceed on Appeal Without Prepayment of Costs or Fees" are denied as moot.

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-02150-BNB

David Jackson
PO Box 471411
Aurora, CO 80047

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