

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02200-BNB

BRUCE CLIFFORD PETERSON,

Plaintiff,

v.

BRIAN MATOS - #05107, D.P.D. Badge No.,  
EIGHT UNKNOWN DENVER POLICE OFFICERS,  
THREE UNKNOWN DENVER HEALTH EMPLOYEES,  
JOHN DOE #1 (known only as Dr. Crum), and  
JOHN DOE #2 (known only as Chaplain Scott),

Defendants.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

FEB 19 2010

GREGORY C. LANGHAM  
CLERK

---

ORDER OF DISMISSAL

---

Plaintiff, Bruce Clifford Peterson, is a prisoner in the custody of the Denver Sheriff Department. Mr. Peterson has filed a *pro se* 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 alleges that his constitutional rights have been violated. He paid the \$350.00 filing fee on September 21, 2009.

On September 22, 2009, Magistrate Judge Boland determined that Mr. Peterson's complaint was deficient, because it failed to comply with Fed. R. Civ. P. 8, and because it failed to allege facts that demonstrate how the named Defendants personally participated in the asserted constitutional violations. Therefore, Mr. Peterson was ordered to file an amended complaint, and was warned that the action would be

dismissed without further notice if he failed to file an amended pleading within thirty days.

On October 28, 2009, Mr. Peterson requested an extension of time to file his amended pleading. By minute order dated October 30, 2009, Magistrate Judge Boland granted Mr. Peterson a thirty-day extension of time. Mr. Peterson submitted an Amended Complaint to the Court on December 1, 2009.

On December 4, 2009, Magistrate Judge Boland determined that the Amended Complaint still failed to comply with the pleading requirements of Fed. R. Civ. P. 8, because Mr. Peterson failed to set forth his specific claims for relief. Accordingly, Magistrate Judge Boland ordered Mr. Peterson to file a Second Amended Complaint within thirty days.


On January 5, 2010, Mr. Peterson requested an extension of time to file his Second Amended Complaint. By minute order dated January 6, 2010, Magistrate Judge Boland granted an extension of time, and ordered Mr. Peterson to file his Second Amended Complaint on or before February 8, 2010.

However, Mr. Peterson has not communicated with the Court since January 5, 2010. As a result, he has now failed to file an amended pleading within the time allowed. Therefore, the Amended Complaint and action will be dismissed without prejudice. Accordingly, it is

ORDERED that the Amended Complaint and this action are dismissed without prejudice for failure to file an amended pleading within the time allowed.

DATED at Denver, Colorado, this 18 day of February, 2010.

BY THE COURT:

  
CHRISTINE M. ARGUELLO  
United States District Judge, for  
ZITA LEESON WEINSHIENK, Senior Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

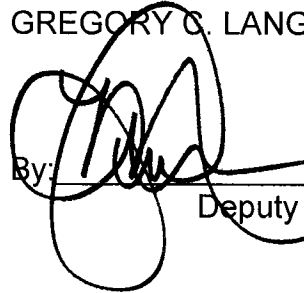
**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-02200-BNB

Bruce Clifford Peterson  
Prisoner No. 48058  
DRDC  
P.O. Box 392004  
Denver, CO 80239

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 2/19/10

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk