

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02266-BNB

DERRICK JOHN ARAGON,

Plaintiff,

v.

[NO NAMED DEFENDANT],

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, CO

NOV 05 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Derrick John Aragon, initiated this action by filing a *pro se* pleading titled "Conditional Acceptance (CAFV) - Request for Proof of Claim as to the Status of Monetary Conditions Within the State of Colorado to Pay Debts at Law, Jurisdiction and Other Matters, Constituting Agreement." In an order filed on September 23, 2009, Magistrate Judge Boyd N. Boland directed the Clerk of the Court to commence a civil action and directed Mr. Aragon to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Aragon to file a complaint on the court-approved form, and either pay the filing fee or file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Aragon was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

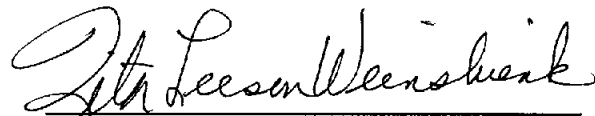
On October 2, 2009, Mr. Aragon filed a "Notice of Fault and Opportunity to Cure and Contest Acceptance." On October 19, 2009, Mr. Aragon filed an "Affidavit of Notice

of Default.” However, Mr. Aragon has not filed a Complaint on the court-approved form, nor has he paid the filing fee or filed a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Accordingly, Mr. Aragon has failed to cure the deficiencies within the time allowed and 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 5th day of November, 2009.

BY THE COURT:

A handwritten signature in cursive script, reading "Zita L. Weinschenk". The signature is written in black ink and is positioned above a horizontal line.

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-02266-BNB

Derrick John Aragon
c/o Lillian Baca
6464 Newland St.
Arvada, CO 80003

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 11/5/09

GREGORY C. LANGHAM CLERK

By: 

Deputy Clerk