

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02409-BNB

JONATHAN LEE RICHES, d/b/a
BERNARD MADOFF, a/k/a
BERNIE MADOFF,

Plaintiff,

v.

NAJIBULLAH ZAZI, et al.,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 19 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Jonathan Lee Riches, is a prisoner in the custody of the United States Bureau of Prisons who currently is incarcerated at the Federal Medical Center in Lexington, Kentucky. He submitted to the Court *pro se* a document titled "Preliminary Injunction/Temporary Restraining Order TRO."

The Court reviewed the document and determined it was deficient. Therefore, in an order filed on October 9, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Riches to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

The October 9, 2009, order pointed out that Mr. Riches failed to submit either the \$350.00 filing fee or to file on the proper, Court-approved form a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 together with a certified copy of his trust fund account statement for the six-month period immediately preceding

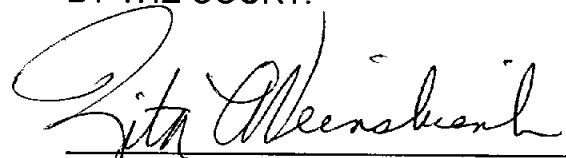
this filing. The order also pointed out that Mr. Riches failed to submit on the proper, Court-approved form a Prisoner Complaint. The order warned Mr. Riches that if he failed to cure the designated deficiencies within thirty days, the action would be dismissed without prejudice and without further notice. Mr. Riches has failed within the time allowed to cure the designated deficiencies or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the action is dismissed without prejudice for failure to cure and for failure to prosecute. It is

FURTHER ORDERED that the document titled "Preliminary Injunction/ Temporary Restraining Order TRO" is denied as moot.

DATED at Denver, Colorado, this 19 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

Civil Action No. 09-cv-02409-BNB

Jonathan Lee Riches
a/k/a Bernard Madoff
Reg No. 40948-018
Federal Medical Center
P.O. Box 14500
Lexington, KY 40512

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 11/19/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk