

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02524-BNB

JULIO FELIX,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

DEC 15 2009

GREGORY C. LANCHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Julio Felix, is a prisoner in the custody of the United States Bureau of Prisons who currently is incarcerated at the Federal Correctional Institution in Phoenix, Arizona. He submitted to the Court *pro se* a "Summons for Issuance of Arrest Warrant Pursuant to 18 U.S.C. Section (4)" and a proposed order. The Court reviewed the documents and determined they were deficient. Therefore, in an order filed on October 27, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Felix to cure certain enumerated deficiencies in the case within thirty days if he wished to pursue his claims.


The October 27, 2009, order pointed out that Mr. Felix failed either to pay the \$350.00 filing fee or to submit 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 preceding this filing. The order also pointed out that Mr. Felix failed to submit a Prisoner Complaint. The order warned Mr. Felix that if he

failed to cure the designated deficiencies within thirty days, the action would be dismissed without prejudice and without further notice. Mr. Felix 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.

DATED at Denver, Colorado, this 15 day of December, 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-02524-BNB

Julio Felix
Reg No. 25275-050
Federal Correctional Institution
37910 N. 45th Ave.
Phoenix, AZ 85086

Julio Felix
Reg No. 25475-050
FCI - Englewood
9595 W. Quincy Ave.
Littleton, CO 80120

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 12/15/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk