

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02554-BNB

CLEOTIS ARNELL LEWIS,

Plaintiff,

v.

DAVID LABATO, and  
RICK MATTON,

Defendant.

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

DEC 11 2009

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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Plaintiff, Cleotis Arnell Lewis, is in the custody of the Colorado Department of Corrections and is currently incarcerated at the Crowley County Correctional Facility. Mr. Lewis initiated this action by filing a Prisoner Complaint pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343 on October 23, 2009.

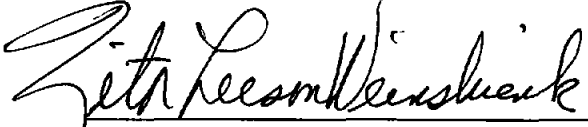
In an order filed on October 30, 2009, Magistrate Judge Boyd N. Boland directed the Clerk of the Court to commence a civil action and directed Mr. Lewis to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Lewis to file a complete complaint 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. Lewis was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Lewis has not communicated with the Court since October 23, 2009. Accordingly, Mr. Lewis 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 11 day of Dec., 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-02554-BNB

Cleotis Arnell Lewis  
Reg No. 85892  
Crowley County Corr. Facility  
6564 State Hwy. 96  
Olney Springs, CO 81062-8700

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 12/11/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk