

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02794-BNB

ANTHONY R. MARTINEZ,

Plaintiff,

v.

GILBERT S. HOGAN, # 01004, Denver Police Dept.,
ADAM BARRETT, # 05013, Denver Police Dept.,
ROBERT ACHA, # 08043, Denver Police Dept., and
RAYMOND L. SHERIDAN, # 01044, Denver Police Dept.,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 21 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

On November 17, 2009, Plaintiff Anthony R. Martinez submitted to the Court a *pro se* Prisoner Complaint. Mr. Martinez is detained at the Denver County Jail in Denver, Colorado. On December 1, 2009, Magistrate Judge Boyd N. Boland entered an order directing the Clerk of the Court to commence a civil action and instructing Mr. Martinez to submit a certified copy of his prisoner's trust fund account statement for the six-month period immediately preceding the date he filed the instant action. Mr. Martinez was warned that the action would be dismissed without further notice if he failed to cure the deficiency within thirty days.

Mr. Martinez now has failed to communicate with the Court, and as a result he has failed to cure the deficiency within the time allowed. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice for failure to cure the deficiency.

DATED at Denver, Colorado, this 20 day of January, 2010.

BY THE COURT:

Christine M Arguello for
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-02794-BNB

Anthony R. Martinez
Prisoner No. 1634705
Denver County Jail
P.O. Box 1108
Denver, CO 80201

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 1/21/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk