

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02887-BNB

MONTY HARMON,

Plaintiff,

v.

[NO DEFENDANT NAMED],

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 19 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Monty Harmon, initiated this action by submitting to the Court *pro se* a letter. The Court reviewed the letter and determined it was deficient. Therefore, in an order filed on December 10, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Harmon to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

The December 10, 2009, order pointed out that Mr. Harmon 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. The December 10 order also pointed out that Mr. Harmon failed to submit a Prisoner Complaint on the proper, Court-approved form. The order warned Mr. Harmon that if he failed to cure the designated deficiencies within thirty days, the action would be dismissed without prejudice and without further notice. Mr. Harmon has failed within the time allowed to cure the deficiencies listed in the

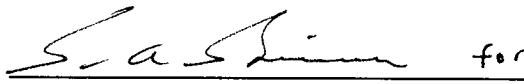
December 10 order or otherwise to communicate with the Court in any way.

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 19th day of January, 2010.

BY THE COURT:



PHILIP A. BRIMMER
United States District Judge for
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-02887-BNB

Monty Harmon
1724 Mount Washington Ave #2A
Colorado Springs, CO 80905

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the
above-named individuals on 1/19/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk