

DEC 11 2009

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO
GREGORY C. LANGHAM
CLERK

09CV02911 *BnB*

Civil Action No. _____
(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

CLOVIS CARL GREEN, JR.,
Plaintiff,

v.

EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF CORRECTIONS,
Defendant.

ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION AND
DISMISSING THE ACTION

Plaintiff, Clovis Carl Green, Jr., is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Fort Lyon, Colorado, correctional facility. Mr. Green has submitted to the Court *pro se* a motion for a court order to toll the two-year statute of limitations in this action. For the reasons stated below, the action will be dismissed.

Mr. Green has been permanently enjoined from filing any *pro se* civil complaints in this Court without first obtaining leave of court to proceed *pro se*. See Modified Appendix B in *Green v. Price*, 95-mc-00009-DBS (D. Colo. Feb. 29, 1996). In order to obtain permission to proceed *pro se*, Mr. Green must submit with any complaint he seeks to file a "Petition Pursuant to Court Order Seeking Leave to File a *Pro Se* Action" that includes the information specified in the sanction order. He has failed to submit, as

required by Modified Appendix B, a "Petition Pursuant to Court Order Seeking Leave to File a *Pro Se* Action," an affidavit in proper legal form, and a complaint listing the claim or claims he seeks to file in this Court. Accordingly, it is

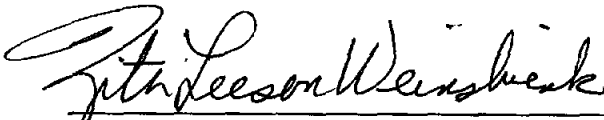
ORDERED that the clerk of the Court commence this civil action. It is

FURTHER ORDERED that the action is dismissed without prejudice because Plaintiff, Clovis Carl Green, Jr., has failed to comply with the order enjoining him from filing *pro se* actions. It is

FURTHER ORDERED that the motion for a court order to toll the two-year statute of limitations in this action is denied as moot.

DATED at Denver, Colorado, this 11 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.

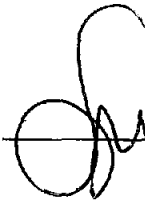
09CV02911

Clovis Carl Green, Jr.
Prisoner No. 69277
Fort Lyon Corr. Facility
PO Box 1000
Fort Lyon, CO 81038

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