

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-03009-BNB

THOMAS WARREN RAY,

Plaintiff,

v.

THOMAS J. REED, Judge,
PATRICK HAINES, District Attorney,
JOHN GIFFORD, Public Defender, and
BOULDER COUNTY SHERIFF'S OFFICE,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 09 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

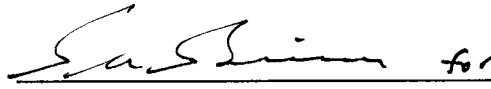
Plaintiff Thomas Warren Ray currently is detained at the Boulder County Jail in Boulder, Colorado. Mr. Ray, acting *pro se*, initiated this action by filing a Complaint challenging the conditions of his confinement. In an order entered on December 29, 2009, Magistrate Judge Boyd N. Boland directed the Clerk of the Court to commence a civil action and instructed Mr. Ray to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Ray to file his claims on a Court-approved form that is used in filing prisoner complaints. Magistrate Judge Boland also directed Mr. Ray either to pay the filing fee in full or to file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 along with a certified copy of his trust fund statement for the six-month period immediately preceding the initiation of this action.

Magistrate Judge Boland warned Mr. Ray that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days. Mr. Ray has failed to communicate with the Court. As a result, he has failed to cure the deficiencies within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure the noted deficiencies. Accordingly, it is

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

DATED at Denver, Colorado, this 5th day of February, 2010.

BY THE COURT:



PHILIP A. BRIMMER
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

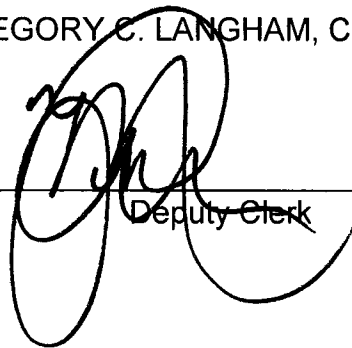
Civil Action No. 09-cv-03009-BNB

Thomas Warren Ray
Boulder County Jail
3200 Airport Road
Boulder, CO 80301

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 2/9/10

GREGORY C. LANGHAM, CLERK

By: _____

A handwritten signature in black ink, appearing to be 'G. Langham', written over a horizontal line. The signature is stylized and cursive.

Deputy Clerk