

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-03026-BNB

WILLIAM MAUNZ,

Plaintiff, named as Defendant,

v.

DENVER DISTRICT COURT,

Defendant, named as Plaintiff,

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 16 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, William Maunz, initiated this action by filing *pro se* a "Motion to Dismiss Pursuant to Colo. Revised Statutes, Dismissal Rule 48." In an order filed on December 30, 2009, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Maunz to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Maunz to file on the proper form a Prisoner Complaint and either to pay the filing fee or to file a properly supported motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Maunz was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

On February 1, 2010, Mr. Maunz filed a "Motion for Order to Change Caption on Prisoner's Civil Complaint According to Fed. Jud. P. Rules" and a "Motion for Extension or Enlargement" seeking an extension of time to cure the deficiencies in this action. On February 2, 2010, Magistrate Judge Boland entered a minute order granting the motion

for extension of time and allowing Mr. Maunz another thirty days to cure the deficiencies. On February 8, 2010, the copy of Magistrate Judge Boland's February 2 minute order, mailed to Mr. Maunz at the address he provided, was returned as undelivered. Mr. Maunz has not filed a notice of change of address.

Mr. Maunz has failed to cure the deficiencies within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure the deficiencies.

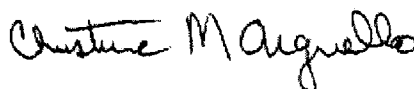
Accordingly, it is

ORDERED that the action is dismissed without prejudice for failure to cure the deficiencies. It is

FURTHER ORDERED that the "Motion to Dismiss Pursuant to Colo. Revised Statutes, Dismissal Rule 48" filed on December 30, 2009, and the "Motion for Order to Change Caption on Prisoner's Civil Complaint According to Fed. Jud. P. Rules" filed on February 1, 2010, are denied as moot.

DATED at Denver, Colorado, this 16th day of March, 2010.

BY THE COURT:



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

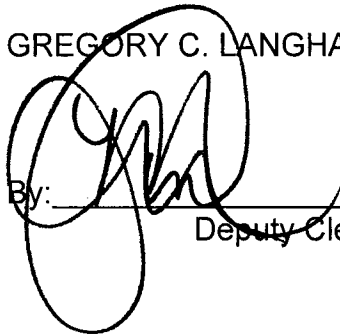
CERTIFICATE OF MAILING

Civil Action No. 09-cv-03026-BNB

William Maunz
Prisoner No. 1614500
Denver County Jail
PO 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 3/10/10

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk