

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00163-BNB

ANTHONY L. GARCIA,

Plaintiff,

v.

DAYNA LENE VISE, #36656, Deputy State Public Defender,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 02 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Anthony L. Garcia, is currently incarcerated at the Denver County Jail. He initiated this action by filing a Prisoner Complaint with the Court on January 15, 2010.

In an order filed on January 25, 2010, Magistrate Judge Boyd N. Boland directed the Clerk of the Court to commence a civil action and directed Mr. Garcia to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Garcia to file a complaint on the court-approved form, and either pay the filing fee or file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Garcia was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Garcia has not communicated with the Court since January 15, 2010. Accordingly, he has failed to cure the deficiencies within the time allowed and 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.

DATED at Denver, Colorado, this 1st day of March, 2010.

BY THE COURT:

s/Philip A. Brimmer
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

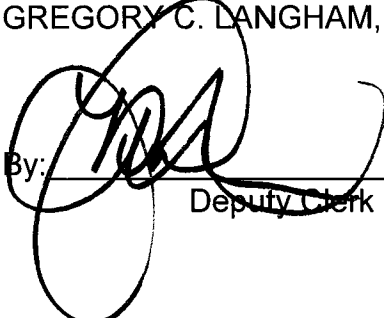
CERTIFICATE OF MAILING

Civil Action No. 10-cv-00163-BNB

Anthony L. Garcia
Prisoner No. 1623895- 417029
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 3/2/10

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk