

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00424-BNB

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MUHAMMAD M. ABDULLAH-AL-STEVE LAMONT-EL,

JUN 22 2010

Applicant,

GREGORY C. LANGHAM  
CLERK

v.

THE PEOPLE OF THE STATE OF COLORADO,  
CITY AND COUNTY OF DENVER,  
MANAGER OF SAFETY,  
EX-OFFICIO SHERIFF OF THE CITY AND COUNTY OF DENVER OR HIS DULY  
AUTHORIZED REPRESENTATIVE,

Respondents.

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ORDER OF DISMISSAL

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Applicant was confined at the Denver County Jail in Denver, Colorado, when he initiated this action by filing *pro se* a document titled "Petition to the Court" in which he appeared to be seeking release from custody. On March 11, 2010, Applicant filed on the proper, court-approved form an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On March 17, 2010, Applicant filed an amended habeas corpus application that is not on the proper form. Because Applicant is required to use the court-approved form, *see* D.C.COLO.LCivR 8.2A., on April 16, 2010, Magistrate Judge Boyd N. Boland ordered Applicant to cure this deficiency and file another amended pleading on the proper form. Magistrate Judge Boland also noted that Applicant must clarify the federal constitutional claims he is asserting in this action. Applicant was warned that the action would be dismissed without further notice if he failed to file within

thirty days an amended pleading on the proper form that identifies clearly the constitutional claims he is asserting in this action.

On April 26, 2010, the copy of Judge Boland's April 16 order that was mailed to Applicant at the Denver County Jail address he provided was returned to the Court undelivered. On May 11, 2010, Applicant filed a notice of change of address. Therefore, on May 14, 2010, Magistrate Judge Boland entered a minute order directing the clerk of the Court to mail to Applicant at his new address a copy of the April 16 order and directing Applicant to file an amended pleading within thirty days from the date of the minute order.

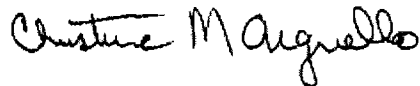
Applicant has failed to file an amended pleading within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's April 16 order. Therefore, the action will be dismissed without prejudice for failure to file an amended pleading as directed. Accordingly, it is

ORDERED that the habeas corpus applications are denied and the action is dismissed without prejudice for failure to file an amended pleading as directed. It is

FURTHER ORDERED that no certificate of appealability will issue because Applicant has not made a substantial showing of the denial of a constitutional right.

DATED at Denver, Colorado, this 21st day of June, 2010.

BY THE COURT:



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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. 10-cv-00424-BNB

Muhammad M. Abdullah-Al-Sтивен-Lamont-EI  
General Delivery  
Downtown Main Post Office  
Denver, CO 80202

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the  
above-named individuals on 6/22/10

GREGORY C. LANGHAM, CLERK

By:  \_\_\_\_\_  
Deputy Clerk