

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00491-BNB

ABIEL LAEKE,

Applicant,

v.

GHEBRE CLAN,

Respondent.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAY 10 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Applicant, Abiel Laeke, is confined at the Colorado Mental Health Institute at Pueblo, Colorado. On March 26, 2010, Mr. Laeke filed *pro se* an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On March 31, 2010, Magistrate Judge Boyd N. Boland ordered Mr. Laeke to file an amended pleading that names a proper Respondent and that clarifies the claims he is asserting in this action. Mr. Laeke was warned that the action would be dismissed without further notice if he failed to file an amended pleading within thirty days.

Mr. Laeke 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 March 31 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 application is 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 10th day of May, 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

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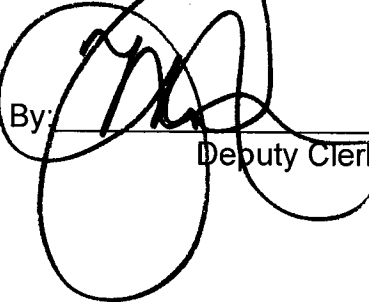
CERTIFICATE OF MAILING

Civil Action No. 10-cv-00491-BNB

Abiel Laeke
Prisoner No. 85103
CMHIP
1600 W. 24th Street
Pueblo, CO 81003

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on **5/10/10**

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk