

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00493-BNB

ABIEL GEBRE LAEKE,

Plaintiff,

v.

THE PEOPLE OF THE STATE OF COLORADO,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAY 17 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

In an order filed on April 9, 2010, Magistrate Judge Boyd N. Boland granted Plaintiff leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 in this action. Pursuant to § 1915(b)(1), Magistrate Judge Boland ordered Plaintiff either to pay an initial partial filing fee or to show cause why he has no assets and no means by which to pay the initial partial filing fee. Plaintiff was warned that the complaint and the action would be dismissed without further notice if he failed either to pay the initial partial filing fee or to show cause within thirty days.

Plaintiff has failed within the time allowed either to pay the initial partial filing fee or to show cause why he is unable to pay the initial partial filing fee. Plaintiff has failed to respond to Magistrate Judge Boland's April 9 order in any way. Therefore, the complaint and the action will be dismissed. Accordingly, it is

ORDERED that the complaint and the action are dismissed without prejudice because Plaintiff failed within the time allowed either to pay the initial partial filing fee or

to show cause why he has no assets and no means by which to pay the initial partial filing fee. It is

FURTHER ORDERED that Plaintiff's motion filed on March 3, 2010, is denied as moot.

DATED at Denver, Colorado, this 17th 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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

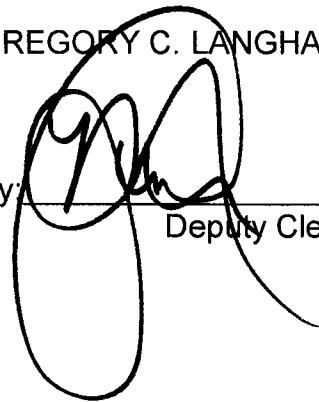
Civil Action No. 10-cv-00493-BNB

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 5/17/10

GREGORY C. LANGHAM, CLERK

By

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

Deputy Clerk