

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00494-BNB

ABIEL GEBRE LAEKE, and  
THE RESIDENTS OF DEPT. OF HUMAN SERVICES,

Plaintiffs,

v.

DEPARTMENT OF HUMAN SERVICES,

Defendant.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MAY 07 2010

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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In an order filed on March 31, 2010, Magistrate Judge Boyd N. Boland granted Plaintiff Abiel Gebre Laeke 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 Mr. Laeke 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. Mr. Laeke 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.

Mr. Laeke 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. Mr. Laeke has failed to respond to Magistrate Judge Boland's March 31 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 Mr. Laeke 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 Mr. Laeke's motion filed on March 3, 2010, is denied as moot.

DATED at Denver, Colorado, this 7th day of May, 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-00494-BNB

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

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 5/7/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk