

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00837-BNB

APPLESEED NAPHTALI JESUSDAUGHTER,
Plaintiff,

v.

NATHANIEL WASHINGTON,
Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAY 26 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Appleseed Naphtali Jesusdaughter, initiated this action by filing *pro se* a "Notice of Intent to File Countersuit Against Inmate, Nathaniel Washington #554409, Eastham Unit, 266 Prison Road #1, Lovelady, Texas 75851-USA." In an order filed on April 14, 2010, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Ms. Jesusdaughter to cure certain deficiencies if she wished to pursue her claims. Magistrate Judge Boland specifically ordered Ms. Jesusdaughter to file a Complaint and either to pay the filing fee or to file a motion seeking leave to proceed *in forma pauperis*. Ms. Jesusdaughter was warned that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days.

Ms. Jesusdaughter has failed to cure the deficiencies within the time allowed and she has failed to respond in any way to Magistrate Judge Boland's April 14 order. Therefore, 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 25th 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-00837-BNB

Appleseed Naphtali Jesusdaughter
212 Washington Street
Pueblo, CO 81004-2303

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 5/26/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk