

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00848-BNB

ROBERT H. QUINN, III,

Plaintiff,

v.

U.S. POSTAL SERVICE,
COLORADO DEPARTMENT OF CORRECTIONS, and
WARDEN TIMME, Fremont Correctional Facility,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 07 2010

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Robert H. Quinn, III, is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Fremont Correctional Facility in Cañon City, Colorado. He submitted to the Court *pro se* a notice of tort claim. The Court reviewed the document and determined it was deficient. Therefore, on April 15, 2010, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Quinn to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

The April 15 order pointed out that Mr. Quinn failed either to pay the \$350.00 filing fee or to submit on the proper, Court-approved form a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 together with a certified copy of his trust fund account statement for the six-month period immediately preceding this filing. The April 15 order also pointed out that Mr. Quinn failed to submit on the

proper, Court-approved form a Prisoner Complaint. The order warned Mr. Quinn that if he failed to cure the designated deficiencies within the time allowed the action would be dismissed without prejudice and without further notice.

Mr. Quinn has failed within the time allowed to cure the deficiencies listed in the April 15 order or otherwise to communicate with the Court in any way.

Accordingly, it is

ORDERED that the action is dismissed without prejudice for the failure of Plaintiff, Robert H. Quinn, III, within the time allowed, to cure the deficiencies designated in the April 15, 2010, order to cure, and for his failure to prosecute.

DATED at Denver, Colorado, this 7th day of June, 2010.

BY THE COURT:



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-00848-BNB

Robert H. Quinn, III
Prisoner No. 131183
Fremont Corr. Facility
P.O. Box 999
Cañon City, CO 81215-0999

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 6/7/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk