

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01119-BNB

MARQUIS SCOTT,

Plaintiff,

v.

DENVER ASSESSOR'S OFFICE,

Defendant.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUN 28 2010

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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In an order filed on May 20, 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 May 20 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 the Rule 12(e) motions filed by Plaintiff on May 19, 2010 are denied as moot.

DATED at Denver, Colorado, this 25th day of June, 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-01119-BNB

Marquis Scott  
Prisoner No. 104716  
Trinidad Correctional Facility  
PO Box 2000  
Trinidad, CO 81082

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 6/28/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk