

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01212-BNB

SAUL RODRIGUEZ,

Applicant,

v.

JULIE WANDS, Warden FCI Florence,

Respondent.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUL -7 2010

GREGORY C. LANGHAM

CLERK

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ORDER OF DISMISSAL

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Applicant Saul Rodriguez is in the custody of the United States Bureau of Prisons and currently is incarcerated at the Federal Correctional Institution in Florence, Colorado. Mr. Rodriguez, acting *pro se*, initiated this action by filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. Magistrate Judge Boyd N. Boland entered an order on May 26, 2010, directing the Clerk of the Court to commence a civil action and instructing Mr. Rodriguez to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Rodriguez either to pay the filing fee in full or to file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 along with a certificate showing the current balance in his prisoner trust fund account.

Magistrate Judge Boland warned Mr. Rodriguez that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days. Mr. Rodriguez now has failed to communicate with the Court. As a result, he has failed

to cure the deficiencies within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure the noted deficiencies. Accordingly, it is

ORDERED that the Application is denied and the action is dismissed without prejudice for failure to cure the deficiencies.

DATED at Denver, Colorado, this 6th day of July, 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-01212-BNB

Saul Rodriguez  
Reg No. 80931-180  
FCI - Florence  
P.O. Box 6000  
Florence, CO 81226-6000

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

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk