

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02607-BNB

RODNEY RAY ZIMMERMAN,

Plaintiff,

v.

ARISTEDES W. ZAVARAS,
JOHN DOE, C.E.O. of Physicians [sic] Health Partner,
PAUL L'HERAULT,
MR. SINGH,
CATHIE HOLST,
RENEE MARTINEZ,
MRS. CROUNK,
MR. KLENKE,
MRS. YARD,
JIM CREANY,
KATHLEEN BOYD,
SEAN MOORE,
LT. ON DUTY 9-26-08 AM,
NURSE ON DUTY 9-26-08 AM,
MR. GIFFORD, and
JERRY STEELE, all sued in both their personal and professional [sic] capacities,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 09 2011

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Rodney Ray Zimmerman, is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Colorado State Penitentiary in Cañon City. Mr. Zimmerman filed *pro se* a complaint. He was granted leave to proceed pursuant to 28 U.S.C. § 1915 without payment of an initial partial filing fee.

On January 4, 2011, Magistrate Judge Boyd N. Boland ordered Mr. Zimmerman to file within thirty days an amended complaint that complied with Rule 8 of the Federal Rules of Civil Procedure and Rule 10.1E. and G. of the Local Rules of Practice for this Court. The order warned Mr. Zimmerman that, if he failed to file an amended complaint as directed within the time allowed, the complaint and the action will be dismissed without further notice.

Mr. Zimmerman has failed, within the time allowed, to file an amended complaint as directed.

Accordingly, it is

ORDERED that the complaint and the action are dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Rodney Ray Zimmerman, to file, within the time allowed, an amended complaint that complies with the pleading requirements of Fed. R. Civ. P. 8. and Rule 10.1E. and G. of the Local Rules of Practice for this Court, and for his failure to prosecute.

DATED at Denver, Colorado, this 9th day of February, 2011.

BY THE COURT:

s/Lewis T. Babcock
LEWIS T. BABCOCK, 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-02607-BNB

Rodney Ray Zimmerman
Prisoner No. 135354
Colorado State Penitentiary
P.O. Box 777
Cañon City, CO 81215-0777

I hereby certify that I have mailed a copy of the **ORDER and JUDGMENT** to the above-named individuals on February 9, 2011.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk