

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT

DEC - 9 2010

GREGORY C. LANGHAM
CLERK

Civil Action No. 10-cv-02676-BNB

KEITH BODNER,

Plaintiff,

v.

JODY KERN, Director, Rio Grande County Dept. of Public Social Services, and
RIO GRANDE COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Keith Bodner, initiated this action by filing *pro se* a "Complaint," "Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915," "Plaintiff's Ex Parte Motion and Memorandum of Law for Temporary Restraining Order, Declaratory Relief and Permanent Injunction," and "Declaration for Need to Not Serve Opposition and Reason for Ex Parte Temporary Emergency Orders." In an order filed on November 3, 2010, Magistrate Judge Boyd N. Boland directed the clerk of the Court to commence a civil action and directed Mr. Bodner to cure a deficiency if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Bodner to file a Complaint on the proper form as required by the Court's local rules. **See** D.C.COLO.LCivR 8.1A. Mr. Bodner was warned that the action would be dismissed without further notice if he failed to cure the deficiency within thirty days.

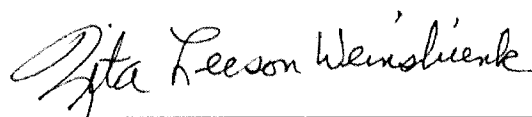
Mr. Bodner has failed to file a Complaint on the proper form within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's

November 3 order. Therefore, the action will be dismissed without prejudice for failure to cure the deficiency. 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 because Plaintiff failed to cure the deficiency as directed.

DATED at Denver, Colorado, this 8th day of December, 2010.

BY THE COURT:



ZITA LEESON WEINSHIENK, Senior Judge
United States District Court

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FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10-cv-02676-BNB

Keith Bodner
527 Bear Creek Rd.
South Creek, CO 81154

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on December 9, 2010.

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk