

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-03100-BNB

RAHEEM DAVIS,

Plaintiff,

v.

BUREAU OF PRISONS, et al.,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 18 2011

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Raheem Davis, is a prisoner in the custody of the United States Bureau of Prisons who currently is incarcerated at the United States Penitentiary, Administrative Maximum, in Florence, Colorado. He submitted to the Court *pro se* a document titled "Writ of Mandamus." The Court reviewed the document and determined it was deficient. Therefore, on December 30, 2010, Magistrate Judge Boyd N. Boland directed Mr. Davis to cure certain deficiencies in the case within thirty days if he wished to pursue his claims.

Specifically, Mr. Davis was directed either to pay the \$350.00 filing fee or to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 on the Court-approved form together with a certified copy of his trust fund account statement for the six-month period immediately preceding this filing. The December 30, 2010, order also pointed out that Mr. Davis failed to submit a complaint on the Court-approved form. The order warned Mr. Davis that, if he failed to cure the

designated deficiencies within the time allowed, the petition for writ of mandamus would be denied and the action dismissed without prejudice and without further notice.

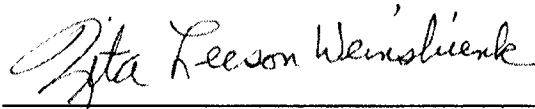
Mr. Davis has failed, within the time allowed, to cure the deficiencies listed in the December 30, 2010, order, or otherwise to communicate with the Court in any way.

Accordingly, it is

ORDERED that the document titled "Writ of Mandamus" is denied, and the action is dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Raheem Davis, within the time allowed, to cure the deficiencies designated in the December 30, 2010, order to cure, and for his failure to prosecute.

DATED at Denver, Colorado, this 17th day of February, 2011.

BY THE COURT:



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-03100-BNB

Raheem Davis
Reg No. 58146-054
ADX Florence
P.O. Box 8500
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER and JUDGMENT** to the above-named individuals on February 18, 2011.

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk