

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADOFILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

Civil Action No. 11-cv-00079-BNB

FEB 25 2011

CARL L. WILSON,

GREGORY C. LANGHAM  
CLERK

Applicant,

v.

U.S. MARSHAL SERVICE,

Respondent.

---

ORDER OF DISMISSAL

---

Applicant, Carl L. Wilson, a Colorado state prisoner, initiated this action by filing a pleading titled "Petition for Writ of Habeas Corpus Ad Prosequendum." On January 20, 2011, Magistrate Judge Boyd N. Boland instructed Mr. Wilson to cure certain deficiencies if he wished to pursue his claims. Magistrate Judge Boland ordered Mr. Wilson to file his claims on a Court-approved form that is used in filing 28 U.S.C. § 2241 actions and 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. Mr. Wilson has failed to cure the deficiencies within the time allowed. Accordingly, it is

ORDERED that the Application is denied and the action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure deficiencies. It is

FURTHER ORDERED that no certificate of appealability shall issue because Mr. Wilson has not made a substantial showing that jurists of reason would find it debatable

whether the procedural ruling is correct and whether the underlying claim has constitutional merit.

DATED at Denver, Colorado, this 25<sup>th</sup> day of February, 2011.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 11-cv-00079-BNB

Carl L Wilson  
Prisoner No. 146690  
Limon Correctional Facility  
49030 State Hwy. 71  
Limon, CO 80826

I hereby certify that I have mailed a copy of the **ORDER and JUDGMENT** to the above-named individuals on February 25, 2011.

GREGORY C. LANGHAM, CLERK

By: 

\_\_\_\_\_  
Deputy Clerk