

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

APR 07 2011

GREGORY C. LANGHAM
CLERK

Civil Action No. 11-cv-00359-BNB

SOLOMON BEN-TOV COHEN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General of the United States,
JANET NAPOLITANO, Secretary of the Department of Homeland Security, and
JOHN P. LONGSHORE, Field Office Director USICE,

Respondents.

ORDER OF DISMISSAL

Petitioner, Solomon Ben-Tov Cohen, was detained at the GEO-ICE Detention Center in Aurora, Colorado, when he initiated this action by filing *pro se* a document titled "Petition for Great Writ of Habeas Corpus (Not 2241)." In an order filed on February 24, 2011, Magistrate Judge Boyd N. Boland directed Mr. Cohen to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Cohen to file an application for a writ of habeas corpus on the proper form and either to pay the filing fee or to file a properly supported motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Mr. Cohen was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

On February 28, 2011, Mr. Cohen filed a notice of change of address that indicates he now resides in London, England. On March 1, 2011, Magistrate Judge

Boland entered a minute order directing the clerk of the Court to mail a copy of the February 24 order directing Mr. Cohen to cure the deficiencies in this action to Mr. Cohen at his new address. On March 3, 2011, the copy of Magistrate Judge Boland's February 24 order was returned to the Court undelivered.

Mr. Cohen has failed to cure the deficiencies within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure the deficiencies.

Accordingly, it is

ORDERED that the habeas corpus petition is denied and the action is dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Mr. Cohen failed to cure the deficiencies as directed.

DATED at Denver, Colorado, this 7th day of April, 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

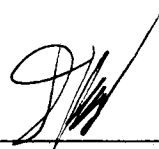
Civil Action No. 11-cv-00359-BNB

Solomon Ben-Tov Cohen
Reg No. A77 309 675
Denver Contract Detention Facility
3130 North Oakland Street
Aurora, CO 80010

I hereby certify that I have mailed a copy of the **ORDER and JUDGMENT** to the above-named individuals on April 7, 2011.

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk