

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUL 07 2011

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01014-BNB

JEFFREY SCOTT MEDINA,

Plaintiff,

v.

COLORADO STATE PATROL - DAN THOMPSON #8421
COLORADO STATE PATROL - JASON LACEY #5092,
COLORADO STATE PATROL - ANDREW JACKSON #438,
COLORADO STATE PATROL - CORP. H. GRISCAVAGE #3289,
ADAMS COUNTY DETENTION FACILITY MEDICAL STAFF (Intake Nurse, JIM
FRONCEK), and
ATTORNEY DOUGLAS L. ROMERO, ESQ., #35464,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Jeffrey Scott Medina, is a prisoner in the custody of the Colorado Department of Corrections who currently is incarcerated at the Sterling, Colorado, correctional facility. Mr. Medina initiated this action by filing *pro se* a Prisoner Complaint pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343. He seeks money damages and injunctive relief. He has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

On May 27, 2011, Magistrate Judge Boyd N. Boland ordered Mr. Medina to file within thirty days an amended complaint that complied with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure and alleged the personal participation of each named Defendant. The May 27 order warned Mr. Medina that, if he failed within

the time allowed to file an amended complaint as directed, the complaint and the action would be dismissed without further notice.

Mr. Medina has failed within the time allowed to file an amended complaint or otherwise to communicate with the Court in any way. Therefore, the complaint and the action will be dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to comply with a Court order and file an amended complaint as directed within the time allowed, and for failure to prosecute.

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, Jeffrey Scott Medina, within the time allowed to file an amended complaint as directed in the order of May 27, 2011, and for his failure to prosecute.

DATED at Denver, Colorado, this 7th day of July, 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-01014-BNB

Jeffrey Scott Medina
Prisoner No. 1501110
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

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

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk