

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02424-BNB

SHELDON JOSEPH,

Plaintiff,

v.

THE PEOPLE OF THE STATE OF COLORADO,  
DUKE SHIRARD, La Plata County Sheriff,  
SHERIFF DEPUTIES, La Plata County Jail,  
TODD RISEBERG #24763, District Attorney's Office,  
JUSTIN FAY #37399, District Attorney's Office,  
LA PLATA COUNTY SIXTH JUDICIAL DISTRICT,  
DAVID L. DICKINSON, District Court Judge,  
LA PLATA COUNTY DISTRICT COURT,  
JERRY LITTLE, Pre-Trial Services,  
ALTERNATIVE TO INCARCERATION,  
HILLTOP HOUSE SOUTHWESTERN COMMUNITY CORRECTIONS CENTER, and  
ANY AND ALL OTHER KNOWN AND UNKNOWN PARTIES IN THE MATTER OF  
CASE NO. 10CR553,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Sheldon Joseph, currently resides in Durango, Colorado. Mr. Joseph, acting *pro se*, initiated this action by submitting a 640-page Complaint. On September 20, 2011, Magistrate Judge Boyd N. Boland instructed Mr. Joseph to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Joseph to file his claims on a Court-approved form used in filing a civil complaint and either to submit a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 or in the alternative to pay the \$350.00 filing fee. Mr. Joseph was

warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

On October 20, 2011, Mr. Joseph filed a request for an extension of time to cure the deficiencies. Magistrate Judge Boland granted the request. Mr. Joseph filed a second request for an extension of time that Magistrate Judge Boland determined was unnecessary, finding that the issues were not so unique or complex to merit such an extension. Magistrate Judge Boland, however, allowed Mr. Joseph an additional eleven days to comply with the September 20 Order.

Mr. Joseph has failed to communicate with the Court to cure the deficiencies within the time allowed. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies and for failure to prosecute.

DATED at Denver, Colorado, this 8<sup>th</sup> day of December, 2011.

BY THE COURT:

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