

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01779-BNB

KEITH BLOUNT,

Applicant,

v.

J. OLIVER, Warden,

Respondent.

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ORDER DISMISSING CASE

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Applicant, Keith Blount, acting *pro se*, submitted to the Court for filing a Petition for Writ of Habeas Corpus and a \$5 filing fee. Although the Petition did not have a civil action number noted on its face, it is evident that Applicant intended to submit the Petition and \$5 filing fee in Case No. 14-cv-01638-BNB in an effort to cure the deficiencies noted by the Court in an order, ECF No. 3, filed on June 12, 2014. Also, the claims raised in the Petition filed in this action are the same as those filed in Case No. 14-cv-01638-BNB. Inadvertently the instant action was commenced.

The Court, therefore, will dismiss the instant action without prejudice and instruct the Clerk of the Court to file in Case No. 14-cv-01638-BNB the Petition and the \$5 filing fee that was used to open this case. Accordingly, it is

ORDERED that the Petition and filing fee, ECF No. 1, filed on June 26, 2014, is ordered filed in Case No. 14-cv-01638-BNB. It is

FURTHER ORDERED that the case is dismissed without prejudice and the Clerk of the Court is instructed to close the action.

DATED at Denver, Colorado, this 2<sup>nd</sup> day of July, 2014.

BY THE COURT:

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