

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

EARL E. BRAMHALL,

 Plaintiff,

 v.

JAMES WINDER et al.,

 Defendants.

**ORDER VACATING PREVIOUS
DISMISSAL ORDER
& MEMORANDUM DECISION**

**FINAL DISMISSAL ORDER &
MEMORANDUM DECISION**

Case No. 2:12-CV-607 TS

District Judge Ted Stewart


IT IS ORDERED that the Dismissal Order & Memorandum Decision, filed by this Court, under District Judge Clark Waddoups's signature, on January 22, 2013, is **HEREBY VACATED** and this Order stands in its place.

Plaintiff, inmate Earl E. Bramhall, filed this *pro se* civil rights suit, see 42 U.S.C.S. § 1983 (2012), proceeding *in forma pauperis*, see 28 *id.* 1915. Reviewing the Complaint under § 1915(e), in an Order dated October 29, 2012, the Court determined Plaintiff's Complaint was deficient. The Court then gave Plaintiff direction for curing the deficiencies, sent him a "Pro Se Litigant Guide," with a blank-form civil rights complaint, and ordered him to cure the deficiencies within thirty days. Plaintiff has not responded. Indeed, the Court has not heard from Plaintiff since he filed several documents on September 12, 2012.

IT IS THEREFORE ORDERED that Plaintiff's Complaint is **DISMISSED** without prejudice for failure to state a claim under § 1915(e)(2)(B)(ii), failure to follow Court orders, and failure to prosecute. This case is **CLOSED**.

DATED this 28thday of January, 2013.

BY THE COURT:



CHIEF JUDGE TED STEWART
United States District Court