

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-02163-BNB

JACOB HIMMLER, and [sic] Individual,

Plaintiff,

v.

ELODE BRODBECK, in her individual and her official capacity,  
DAVID KIEFFER, in his individual capacity,  
BEHAVIORAL ASSOCIATES, INC., a Colorado corporation,  
PATRICIA PHILLIPS, in her individual capacity, and  
MARY J. MULLARKEY, in her official capacity,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

DEC 13 2007

GREGORY C. LANGHAM  
CLERK

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ORDER OF DISMISSAL

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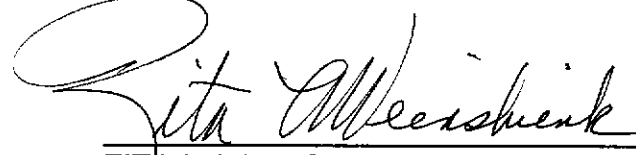
On October 10, 2007, Plaintiff, Jacob Himmler, submitted to the Court *pro se* a document titled "Superseded Verified Complaint and Jury Demand." As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, the Court determined that the submitted document was deficient. Therefore, on October 17, 2007, Magistrate Judge Boyd N. Boland directed Plaintiff to cure certain enumerated deficiencies. Specifically, Plaintiff was directed to submit within thirty days a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Complaint on the proper, Court-approved forms. The October 17 order warned Plaintiff that if he failed to cure the designated deficiencies within the time allowed, the document titled "Superseded Verified Complaint and Jury Demand" and the action would be dismissed without further notice.

Plaintiff has failed within the time allowed to cure the designated deficiencies or otherwise to communicate with the Court in any way. Accordingly, it is

ORDERED that the document titled "Superseded Verified Complaint and Jury Demand" and the action are dismissed without prejudice for failure to cure and for failure to prosecute.

DATED at Denver, Colorado, this 11 day of Dec., 2007.

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge  
United States District Court

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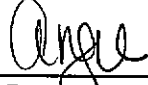
**CERTIFICATE OF MAILING**

Civil Action No. 07-cv-02163-BNB

Jacob Himmler  
825 9<sup>th</sup> Street  
Berthoud, CO 80513

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 12/13/07

GREGORY C. LANGHAM, CLERK

By:   
Deputy Clerk