

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 11-cv-02696-REB-KMT

THERESA L. DOWLING,

Plaintiff,

v.

BLACK AND McDONALD/CUSTOM LIGHTING SERVICES,

Defendant.

FINAL JUDGMENT

This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **Order Overruling Objections to and Adopting Recommendation of the United States Magistrate Judge** [#85] entered by Judge Robert E. Blackburn on February 25, 2013, which order is incorporated herein by this reference.

THEREFORE, IT IS ORDERED as follows:

1. That claims of the plaintiff are **DISMISSED WITH PREJUDICE** as a sanction for the unexcused failure to prosecute and failure to comply with the orders of the court;
2. That **JUDGMENT IS ENTERED** in favor of the defendant, Black and McDonald / Custom Lighting Services, against the plaintiff, Theresa L. Dowling, on all claims for relief and causes of action asserted in this case;
3. That under 28 U.S.C. § 1915(a)(3), the Court certifies that any appeal from the recommendation [#84] and the order would not be taken in good faith and, therefore, any appeal from the recommendation and the order may not be taken *in forma pauperis*;
4. That if the plaintiff files a notice of appeal, she must pay the full \$455.00

appellate filing fee or file a motion to proceed *in forma pauperis* in the United States Court of Appeals for the Tenth Circuit; and

5. That defendant is **AWARDED** its costs, to be taxed by the clerk of the court under Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

Dated at Denver, Colorado, this 27th day of February 2013.

BY THE COURT:
JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler
Edward P. Butler, Deputy Clerk