

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03239-BNB

PAUL HUGGINS, Prophet Evangel Dr. Rev.,

Plaintiff,

v.

SUPREME COURT OF THE UNITED STATES,
PRESIDENT OF THE UNITED STATES,
UNITED STATES CONGRESS,
COLORADO DEPARTMENT OF CORRECTIONS,
STATE OF COLORADO,
UNITED STATES ATTORNEY GENERAL,
UNITED STATES ATTORNEY, and
COLORADO SUPREME COURT,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Paul Huggins, currently resides in Denver, Colorado. Mr. Huggins, acting *pro se*, initiated this action by filing a Complaint and a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. After review of the Complaint, Magistrate Judge Boyd N. Boland determined that Mr. Huggins claims for the most part were unintelligible and that he failed to comply with Fed. R. Civ. P. 8 and *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1163 (10th Cir. 2007). Magistrate Judge Boland directed Mr. Huggins to file an Amended Complaint. Mr. Huggins was given thirty days to file the Amended Complaint. Mr. Huggins now has failed to communicate with the Court and as a result has failed to file the Amended Complaint within the time allowed.

Upon review of the Complaint, the Court finds that Magistrate Judge Boland correctly instructed Mr. Huggins to amend and to comply with Rule 8 of the Federal Rules of Civil Procedure and *Nasious*. Because Mr. Huggins has failed to file an Amended Complaint within the time allowed the action will be dismissed.

Finally, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order is not taken in good faith, and, therefore, *in forma pauperis* status will be denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Mr. Huggins files a notice of appeal he must also pay the full \$455 appellate filing fee or file a motion to proceed *in forma pauperis* in the United States Court of Appeals for the Tenth Circuit within thirty days in accordance with Fed. R. App. P. 24. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to file an Amended Complaint and for failure to prosecute. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied.

DATED at Denver, Colorado, this 25th day of January, 2012.

BY THE COURT:

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