

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00004-BNB

MOHAMED OSMAN FARAY,

Plaintiff,

v.

GENELX CORPORATION,

Defendant.

ORDER OF DISMISSAL

Plaintiff, Mohamed Osman Faray, currently resides in Glendale, Colorado. Mr. Faray, acting *pro se*, initiated this action by submitting a Complaint to the Court. On January 9, 2012, Magistrate Judge Boyd N. Boland directed Mr. Faray to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Faray to submit a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 that is properly notarized, has a complete affidavit, and states whether he seeks service of process by the United States Marshals Service. Mr. Faray also was instructed to provide an address for Defendant Genelx Corporation. Mr. Faray was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Mr. Faray has failed to communicate with the Court, and as a result, he has failed to cure the deficiencies within the time allowed.

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. Faray files a notice of appeal he must 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 action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies within the time allowed. It is

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

DATED at Denver, Colorado, this 15th day of February, 2012.

BY THE COURT:

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