IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00496-BNB

DENNIS WAYNE PAULS,

      Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS,
COLORADO DEPARTMENT OF PAROLE.
SAM LEAL, Parole Officer, and
PAROLE OFFICE, Gallepagos Street, Englewood,

      Defendants.

ORDER OF DISMISSAL

On March 5, 2012, Magistrate Judge Boyd N. Boland entered an order directing Plaintiff, Dennis Wayne Pauls, to file an amended complaint that clarifies who he is suing and that includes a short and plain statement of each claim he is asserting in compliance with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Mr. Pauls was warned that the action would be dismissed without further notice if he failed to file an amended complaint within thirty days.

Mr. Pauls has failed to file an amended complaint within the time allowed and he has failed to respond in any way to Magistrate Judge Boland's March 5 order. Therefore, the action will be dismissed without prejudice for failure to comply with a court order.

Furthermore, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be 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 Plaintiff files a notice of appeal he also 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 complaint and the action are dismissed without prejudice

pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Mr. Pauls failed

to comply with a court order. It is

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

denied.

DATED at Denver, Colorado, this   10th   day of   April   , 2012.

BY THE COURT:

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

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