

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00647-BNB

KHALIFA IMAN-MUHAMMAD MUSTAFA ABDULLAH,

Plaintiff,

v.

HARLEY LAPPIN, Director BOP,

Defendant.

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ORDER OF DISMISSAL

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On March 14, 2012, Plaintiff, acting *pro se*, submitted to the Court a pleading titled "Mandamus." Plaintiff is a federal prisoner housed in the State of Colorado at ADX Florence. Magistrate Judge Boyd N. Boland entered an order instructing Plaintiff to file his claims on a Court-approved form used in filing prisoner complaints and either to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 or to pay the \$350.00 fee in advance. Plaintiff was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Plaintiff has failed to communicate with the Court further and, as a result, has failed to cure the deficiencies within the time allowed. The Court, therefore, will dismiss the action.

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 is denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Plaintiff

files a notice of appeal he must also pay the full \$455.00 appellate filing fee or file a motion to proceed *in forma pauperis* in 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 cure the deficiencies 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 23<sup>rd</sup> day of April, 2012.

BY THE COURT:

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