

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00756-BNB

SCOTT R. GORDON,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE ASSOCIATION, FNMA,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Scott R. Gordon, initiated this action by submitting *pro se* a “Motion for an Order to Show Cause and Motion for Stay” (ECF No. 1) and a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 2).

In a March 26, 2012 Order, Chief Judge Wiley Y. Daniel construed the “Motion for an Order to Show Cause and Motion for Stay” liberally as a request for preliminary injunctive relief and denied the motion. The March 26 Order also directed Mr. Gordon to cure certain deficiencies in this case within thirty (30) days. Specifically, Mr. Gordon was instructed to submit his claims on the court-approved Complaint form. He was further advised that he must sign his Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and have the affidavit notarized as required under 28 U.S.C. § 1746. The March 26 Order warned Mr. Gordon that if he failed to cure the designated deficiencies within the time allowed, the action would be dismissed without further notice.

Mr. Gordon has not submitted his claims on a court-approved Complaint form. He has also failed to re-submit a signed Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 with the affidavit section completed. Therefore, Mr. Gordon has failed to cure the designated deficiencies within the time allowed. Accordingly, it is

ORDERED that the action be dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Scott R. Gordon, to comply with the order to cure dated March 26, 2012.

DATED at Denver, Colorado, this 4th day of May, 2012.

BY THE COURT:

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