

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02034-RM-MEH

ALFONSO A. CARRILLO,
RAYMUNDO CASTILLO,
MARGARITA GARCIA,
SERGIO HERNANDEZ,
GONZALO PEREZ,
GERMAN JASSO BRUNO,
LAURA PATRICIA GUTIERREZ-VITE,
JOSE OROZCO,
MARIA ELENA CARRILLO,
ANA L. CHAVEZ,
DANIEL ORTIZ,
JUAN PABLO REYES,
TERESA MONGE,
JORGE RAMIREZ,
MARTHA ESQUIVEL,
LUIS FIGUEROA,
MANUEL PACHECO,
JOSE A. URENA-SANTOS,
WILLIAM CRISTO SANTOS,
SELVIN CARDOZA,
JESSICA ITURBE JAIME,
JULIO ARREGUIN,
AVARO NUNEZ,
NOHELIA JIMENEZ,
ELIZABETH PADILLA,
MA. DEL ROSARIO URENA,
NORA G. GONZALEZ,
HUGO A PACHECO,
SONIA LOPEZ,
RUBEN PADILLA,
ADRIANA PADILLA,
JANET VALERA,
CLAUDIA OROZCO MOLINA, and
JOSE M. VELASQUEZ,

Plaintiffs,

v.

JOHN W. HICKENLOOPER, the Honorable Governor in his official capacity as Colorado

Governor,
JOHN W. SUTTERS (sic), Colorado Attorney General, in his official capacity as elected Colorado Attorney General,
ELIZABETH OLDHAM, in her official capacity as 14th Judicial District Attorney,
MITCHELL MORRISSEY, in his official capacity as Second Judicial District Attorney,
DON QUICK, in his official capacity as 17th Judicial District Attorney,
GEORGE H. BRAUHLER, in his official capacity as 18th Judicial District Attorney,
RODNEY JOHNSON, in his official capacity as elected Grand County Sheriff,
TED MINK, in his official capacity as elected Jefferson County Sheriff,
FRANK THOMAS, in his official capacity as Sheriff,
SHERIFF DEPARTMENT, in its official capacity,
DOUGLAS N. DARR, in his official capacity as elected Adams County Sheriff,
TOM DELAND, in his official capacity as Broomfield Chief of Police,

Defendants.

ORDER DIRECTING PLAINTIFFS TO PAY FILING FEE

Michael E. Hegarty, United States Magistrate Judge.

This matter comes before the Court *sua sponte*, due to Plaintiffs' failures to comply with this Court's April 15, 2013 and May 2, 2013 orders. On April 15, 2013, this Court ordered the Plaintiffs to re-file a motion for leave to proceed *in forma pauperis* signed by all Plaintiffs and containing affidavits from all Plaintiffs¹ on or before April 30, 2013; otherwise, they would be ordered to pay the filing fee of \$350 in this case or provide evidence that they had already done so. Rather than re-file the motion as ordered, Plaintiffs filed a motion on April 30, 2013 signed by 29 of the 34 Plaintiffs seeking leave to proceed *in forma pauperis* and to dismiss the remaining five named Plaintiffs; however, none of the five Plaintiffs signed the motion in accordance with Fed. R. Civ. P. 41. Thus, the Court found that the Plaintiffs failed to comply with the April 15, 2013 order, and

¹Plaintiffs Daniel Ortiz, William Cristo Santos, Jessica Iturbe Jaime, Avarao Nunez and Nora Gonzalez failed to submit affidavits with the original motion.

granted a further extension of time to May 16, 2013 within which the Plaintiffs were to file a proper motion for leave to proceed *in forma pauperis* and, to the extent they wished to dismiss any plaintiffs, to comply with the applicable rules. The Court further ordered that if Plaintiffs failed to file a proper motion by the deadline, they would be ordered to pay the filing fee of \$350 in this case or provide evidence that they had already done so. The record reflects that the Plaintiffs have filed no motions since the May 2, 2013 order.

THEREFORE, the Plaintiffs shall pay the \$350 filing fee or provide evidence they have already done so **on or before June 21, 2013**. The Plaintiffs shall file a copy of a receipt demonstrating payment before the deadline. If the Plaintiffs fail to comply with this order, the Court may recommend dismissal of the case as a sanction for Plaintiffs' refusal to comply with court orders and to prosecute this action in accordance with all applicable rules.

Dated this 4th day of June, 2013, in Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive, flowing style.

Michael E. Hegarty
United States Magistrate Judge