

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00945-BNB

TERRENCE WELLS,

Plaintiff,

v.

SSA, SOCIAL SECURITY AD.,

Defendant.

---

ORDER OF DISMISSAL

---

Plaintiff, Terrence Wells, who resides in Aurora, Colorado, initiated this action by filing *pro se* a Complaint on April 12, 2013. He has been granted leave to proceed pursuant to 28 U.S.C. § 1915.

On April 17, 2013, Magistrate Judge Boyd N. Boland reviewed the Complaint and determined that it was deficient because it failed to comply with the pleading requirements of Rule 8 of the Civil Rules of Procedure. Accordingly, Mr. Wells was directed to file an amended complaint within thirty (30) days. The April 17 Order warned Plaintiff that failure to submit an amended complaint by the court-ordered deadline would result in dismissal of this action without further notice.

Mr. Wells has not filed an amended complaint as directed by the April 17, 2013 Order. Accordingly, this action will be dismissed.

Finally, 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 must also 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 this action are dismissed without prejudice for the failure of Plaintiff, Terrence Wells, to comply with the Court's April 17, 2013 Order Directing Plaintiff to File Amended Complaint and for failure to comply with Rule 8 of the Federal Rules of Civil Procedure. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied. Mr. Wells may file a motion in the Tenth Circuit Court of Appeals.

DATED at Denver, Colorado, this 24<sup>th</sup> day of May, 2013.

BY THE COURT:

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