

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01204-BNB

JOHN JOSEPH ROCHE,

Plaintiff,

v.

LINCOLN COLLEGE OF TECHNOLOGY,
ALLAN SHORT,
SUE KUHL, and
STEVEN LASECKE,

Defendants.

ORDER OF DISMISSAL

Plaintiff, John Joseph Roche, currently resides in Aurora, Colorado. Mr. Roche, acting *pro se*, initiated this action by submitting to the Court a wrongful termination Complaint. Mr. Roche paid the \$400.00 filing fee. On May 8, 2013, Magistrate Judge Boyd N. Boland directed Mr. Roche to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland ordered Mr. Roche to submit his claims on a Court-approved form and to state his claims in a short and concise statement, the jurisdiction for his claims, and the addresses for each named defendants. Mr. Roche was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

The Court has reviewed the Complaint Mr. Roche submitted to the Court. The Court agrees that Mr. Roche is required to submit his claims on a Court-approved form,

pursuant to D.C.COLO.LCivR8.1A., and has failed to state his claims in a short and concise manner and the jurisdiction for his claims. Although Magistrate Judge Boland granted Mr. Roche an extension until June 21, 2013, to cure the deficiencies, he now has failed to comply with the May 8, 2013 Order within the time allowed. The Court, therefore, will dismiss the action.

Finally, 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 will be denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Mr. Roche files a notice of appeal he 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 action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies within the time allowed. It is

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

DATED at Denver, Colorado, this 25th day of June, 2013.

BY THE COURT:

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