

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01211-BNB

MICHELLE WARNER,

Plaintiff,

v.

ED BOZARTH CHEVROLET,

Defendant.

ORDER OF DISMISSAL

Plaintiff, Michelle Warner, currently resides in Lakewood, Colorado. Ms. Warner, acting *pro se*, initiated this action by submitting to the Court a Title VII Complaint and a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. On May 8, 2013, Magistrate Judge Boyd N. Boland directed Ms. Warner to cure certain deficiencies if she wished to pursue her claims. Specifically, Magistrate Judge Boland ordered Ms. Warner to sign and properly notarize the § 1915 Motion and Affidavit. Magistrate Judge Boland further ordered Ms. Warner to provide complete financial information in the § 1915 Motion and a statement of claims and supporting factual allegations in the Complaint. Ms. Warner was warned that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days.

The Court has reviewed the forms Ms. Warner submitted. The Court agrees that Ms. Warner has failed to provide the required information. Ms. Warner has failed to comply with the May 8, 2013 Order, and the Court 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 Ms. Warner files a notice of appeal she 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 10th day of June, 2013.

BY THE COURT:

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