

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01488-BNB

BOBBY JACK JENKINS,

Plaintiff,

v.

ET AL.,

U.S. GOVERNMENT INTELLIGENCE AGENTS,

AIR FORCE – WASHINGTON D.C.,

SOCIAL SECURITY ADMINISTRATION INTELLIGENCE AGENT JEFF GRAHAM,

State of Wyoming,

THE HONORABLE MATT MEAD, Gover. of Wyoming,

HONORABLE NANCY D. FREUDENTHAL, Chief United States District Judge,

TIMOTHY W. GIST, Assistant United States Attorney,

MARK LANZMAN, Attorney,

STATE OF WYO WORKER COMPENSATION, Cheyenne Wyo – State of Wyo, and

USDA HUD – LOW INCOME HOUSING DEPT. OF THE STATE OF WYO – SAGE  
APARTMENT,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Bobby Jack Jenkins, is a prisoner in the custody of the United States Bureau of Prisons at the Federal Correctional Institution in Florence, Colorado. Mr. Jenkins initiated this action by filing *pro se* a Prisoner Complaint (ECF No. 1). On June 27, 2013, Magistrate Judge Boyd N. Boland entered an order directing Mr. Jenkins to file an amended complaint that clarifies who he is suing and that complies with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Mr. Jenkins was warned that the action would be dismissed without further notice if he failed to file an amended complaint within thirty days.

Mr. Jenkins has failed to file an amended complaint within the time allowed. Therefore, the action will be dismissed without prejudice for failure to comply with a court order.

Furthermore, 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 also 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 Prisoner Complaint and the action are dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Mr. Jenkins failed to comply with a court order. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied without prejudice to the filing of a motion seeking leave to proceed *in forma pauperis* on appeal in the United States Court of Appeals for the Tenth Circuit.

DATED at Denver, Colorado, this 2<sup>nd</sup> day of August, 2013.

BY THE COURT:

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