

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01694-BNB

LAVONA M. ALDEN,

Plaintiff,

v.

[NO NAMED DEFENDANTS],

Defendants.

ORDER OF DISMISSAL

Plaintiff, Lavona M. Alden, currently resides in Pueblo, Colorado. Ms. Alden, acting *pro se*, initiated this action by submitting to the Court a Letter seeking retroactive pay from the Department of Veterans Affairs. On June 27, 2013, Magistrate Judge Boyd N. Boland directed Ms. Alden to cure certain deficiencies if she wished to pursue her claims. Specifically, Magistrate Judge Boland directed Ms. Alden to file her claims on a proper Court-approved form and either to pay the \$400 filing fee or in the alternative to submit a request to proceed pursuant to 28 U.S.C. § 1915 on a proper Court-approved form. Ms. Alden was warned that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days.

Because Ms. Alden now has failed to comply with the May 8, 2013 Order 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. Alden 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 6th day of August, 2013.

BY THE COURT:

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