

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-03121-BNB

JULIE HOFFMAN,

Plaintiff,

v.

MONARCH CASINO BLACKHAWK,

Defendant.

ORDER OF DISMISSAL

On November 19, 2013, Magistrate Judge Boyd N. Boland entered an order directing Plaintiff, Julie Hoffman, to file an amended complaint that complies with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. Ms. Hoffman was warned that the action would be dismissed without further notice if she failed to file an amended complaint within thirty days.

Ms. Hoffman has failed to file an amended complaint within the time allowed and has failed to respond in any way to Magistrate Judge Boland's November 19 order. 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 she also must pay the full \$505

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 (ECF No. 1) and the action are dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Ms. Hoffman 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 8th day of January, 2014.

BY THE COURT:

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