

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00584-BNB

WILLIAM A. MAUNZ,

Plaintiff,

v.

SHARON PHILLIPS, Nurse Practitioner (N.P.),  
CDOC CORRECTIONAL OFFICERS, San Carlos Correctional Facility, and  
COLORADO DEPT. OF CORRECTIONS,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, William A. Maunz, is a prisoner in the custody of the Colorado Department of Corrections. Mr. Maunz initiated this action by filing *pro se* a "Notice (Letter) of Intent for Plaintiff's Prisoner's Complaint Biven's 42 § 1983" (ECF No. 1) claiming his constitutional rights have been violated. The instant action was commenced and, on February 27, 2014, Magistrate Judge Boyd N. Boland entered an order directing Mr. Maunz to cure certain deficiencies if he wished to pursue any claims. Specifically, Magistrate Judge Boland directed Mr. Maunz to file on the court-approved form a Prisoner Complaint and either to pay filing and administrative fees totaling \$400.00 or to file on the court-approved form a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 along with a certified copy of his inmate trust fund account statement and an authorization to calculate and disburse filing fee payments. Mr. Maunz was warned that the action would be dismissed without further

notice if he failed to cure the deficiencies within thirty days. That deadline was extended three times. Most recently, on May 30, 2014, Magistrate Judge Boland entered a minute order granting Mr. Maunz an extension of time until June 30, 2014, to cure the deficiencies.

Although Mr. Maunz has filed various documents in this action, he has failed to cure any of the specified deficiencies within the time allowed. Therefore, the action will be dismissed without prejudice for failure to cure the deficiencies. 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 \$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 action is dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Mr. Maunz failed to cure the deficiencies as directed. 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. It is

FURTHER ORDERED that any pending motions are denied as moot.

DATED at Denver, Colorado, this 17<sup>th</sup> day of July, 2014.

BY THE COURT:

s/Christine M. Arguello  
CHRISTINE M. ARGUELLO  
United States District Judge, for  
LEWIS T. BABCOCK, Senior Judge  
United States District Court