

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00670-BNB

WILLIE DWAYNE CLARK, #131904,

Plaintiff,

v.

COLORADO DEPT. OF CORRECTIONS,
RICK RAMISCH, Executive Director of CDOC,
ANGEL MEDINA, Assistant Prison Operations,
TRAVIS TRANI, Warden of CSP/CCF,
LOU ARCHULETA, Deputy Director of Prisons,
LARRY REID, Deputy Director of Prisons,
TINO HERRERA, Intelligence,
LARRY TURNER, Contract Monitor,
HAWAII DEPT. OF PUBLIC SAFETY,
TED SAKIA, Director of HDPS,
CORRECTIONS CORPORATION OF AMERICA,
TODD THOMAS, Warden of Saguaro Corr. Center,
BEN GRIEGO, Assistant Warden of SCC,
JODY BRADLEY, Assistant Warden of SCC,
NICK PASIELLA, Chief of Security SCC,
N. CARRIER, Chief of Unit Management of SCC,
M. GAWLIK, Stg. Lt. Of SCC,
T. GORMAN, Investigator of SCC,
J. GUILIN, Unit Manager of SCC,
MANUAL ROMERO, Sgt. Of SCC, and
JUAN FLORES, Correctional Counselor of SCC,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Willie Dwayne Clark, is a state prisoner incarcerated at the Saguaro Correctional Center in Eloy, Arizona. On March 3, 2014, Plaintiff initiated this action by filing *pro se* several documents regarding his prison classification and placement. In an order entered on March 5, 2014, Magistrate Judge Boyd N. Boland directed Plaintiff to

file his claims on the Court-approved form used in filing prisoner complaints and directed Plaintiff to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. Magistrate Judge Boland warned Plaintiff that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

In a minute order entered on March 19, 2014, Magistrate Judge Boland granted Plaintiff an extension of time to cure the deficiencies and directed the Clerk of the Court to send Plaintiff the Court-approved forms for filing a prisoner complaint and § 1915 motion and affidavit. Plaintiff, however, has failed to submit a request to proceed pursuant to 28 U.S.C. § 1915 or a prisoner complaint on the Court-approved forms. The action will be dismissed because Plaintiff has failed to comply with the Court's orders within the time allowed.

The Court also 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 Plaintiff files a notice of appeal he must pay the full \$505.00 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 deficiencies and for failure to prosecute. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied. It is

FURTHER ORDERED that all pending motions are denied as moot.

DATED at Denver, Colorado, this 25th day of April, 2014.

BY THE COURT:

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