

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00678-BNB

MAZEN J. KHERDEEN,

Plaintiff,

v.

BARACK HUSSEIN OBAMA, et al.,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Mazen J. Kherdeen, initiated this *Bivens* action on March 4, 2014. On March 6, 2014, the Court entered an Order Directing Plaintiff to Cure Deficiencies. (ECF No. 4). The action was dismissed on April 15, 2014 for the Plaintiff's failure to comply with the March 6 Order, but was reinstated on June 4, 2014, for good cause shown.

On June 12, 2014, Magistrate Judge Boyd N. Boland issued an order directing Mr. Kherdeen to cure deficiencies within thirty (30) days of the Order. (ECF No. 18). Magistrate Judge Boland instructed Plaintiff to attempt to obtain a certified copy of his account statement from prison officials at the San Diego facility where he is presently incarcerated, and to submit an authorization for disbursement of funds from his inmate account to pay the filing fee. Plaintiff was informed that the necessary form was attached to the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 on the Court's website at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). Magistrate Judge Boland warned Plaintiff that if he failed to cure the designated deficiencies within thirty days from the June 12 Order, and failed to show good cause for the same, the action

would be dismissed without further notice. Plaintiff was also warned that if was unable to obtain a certified copy of his inmate account statement from prison officials, he must file a document with the Court detailing his specific efforts to comply with the June 12 Order and the specific actions of named individuals who refused to provide him with a certified copy of his inmate account statement.

On June 16, 2014, Mr. Kherdeen filed a "Notice of Identified Defendants Under John Doe 1 to 1000 and Jane Doe 1-1000" (ECF No. 20), but he has now failed to comply in whole or in part with the June 12 Order. Accordingly, it is

ORDERED that this action is DISMISSED without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Mazen J. Kherdeen, to comply with the June 12, 2014 order directing him to cure deficiencies. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied for the purpose of appeal. 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. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Mr. Kherdeen files a notice of appeal he must also 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. It is

FURTHER ORDERED that all pending motions are DENIED as moot.

DATED at Denver, Colorado, this 22<sup>nd</sup> day of July, 2014.

BY THE COURT:

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