

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01281-BNB

ISAAC SOLOMON ACEVES,

Plaintiff,

v.

[No Named Defendants],

Defendants.

ORDER OF DISMISSAL

Plaintiff, Isaac Solomon Aceves, a state prisoner, initiated this action on May 5, 2014, by submitting a Letter (ECF No. 1) in which he complains about the conditions of his confinement at the Colorado State Penitentiary.

On May 7, 2014, Magistrate Judge Boyd N. Boland reviewed the submitted document and determined that it was deficient. Magistrate Judge Boland directed Plaintiff to file a Prisoner Complaint on the court-approved form and to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 within thirty (30) days of the May 7 Order. Magistrate Judge Boland warned Plaintiff in the May 7 Order that failure to cure the deficiencies noted would result in dismissal of this action without further notice.

On May 19, 2014, Magistrate Judge Boland entered a Minute Order denying as premature Plaintiff's request for the appointment of counsel and granting Plaintiff until June 19, 2014, to comply with the May 7 Order. (ECF No. 5).

Plaintiff has failed to comply with the May 7 Order. Further, he has not

communicated with the Court since May 19, 2014. 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, Isaac Solomon Aceves, to comply with the May 7, 2014 Order Directing Plaintiff 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 Plaintiff 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.

DATED at Denver, Colorado, this 27th day of June, 2014.

BY THE COURT:

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