

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01310-BNB

TIMOTHY DOYLE YOUNG,

Plaintiff,

v.

A.W. HALL, and  
YVETTE FETTERHOFF,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Timothy Doyle Young, is in the custody of the United States Bureau of Prisons and currently is incarcerated at ADX in Florence, Colorado. Plaintiff initiated this action by filing *pro se* a Civil Complaint on May 9, 2014. In an order entered on May 20, 2014, Magistrate Judge Boyd N. Boland instructed Plaintiff to submit his claims on a Court-approved form used in filing prisoner complaints. Plaintiff also was instructed to submit to the Court a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a certified copy of his inmate trust fund account statement for the six months prior to the filing of the instant action, if he desired to proceed *in forma pauperis*. Otherwise, he was directed to pay the filing fee prior to proceeding in this action.

Plaintiff has failed to comply with the May 20, 2014 Order within the time allowed. The action, therefore, will be dismissed.

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 *in forma pauperis* status is 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 Tenth Circuit within thirty days in accordance with Fed. R. App. P. 24.

The Court acknowledges the order in *Young v. United States*, No. 14-cv-00073-LTB, ECF No. 24 (D. Colo. Apr. 22, 2014), that imposes filing restrictions on Plaintiff. Because the order imposing restrictions was entered after this case was filed, the Court will refrain from addressing filing restrictions and monetary sanctions. Accordingly, it is

ORDERED that the action is dismissed without prejudice pursuant to Fed. R. Civ. 41(b) for failure to comply with the May 20, 2014 Order and cure deficiencies. It is

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

DATED at Denver, Colorado, this 27<sup>th</sup> day of June, 2014.

BY THE COURT:

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