

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01312-BNB

YOUNG YIL JO,  
IBRAHAM OSMAN,  
MANUEL AGUIRRE,  
JULIO PENA,  
JAIME MORALES,  
MARCO GUERRERO,  
JESUS LOPEZ MATA,  
AGAPITO JARAMILLO,  
GUSTAVO RUBIO,  
WILLIAM SANTOS,  
MARIO GARCIA,  
IVAN PEREZ,  
ARLON SANTANDER,  
MARTIN ROSAS,  
YURI TZUL,  
JOSE ALCANTARA,  
LUIS QUINTANILLA,  
ERICK BOCH,  
BERNARDO FERNANDEZ,  
GIOVANNI ARROYO,  
SANTOS DIAZ,  
XING LIN WANG,  
OMAR TURCIOS,  
ROGER TALANCON,  
CRESAENCIO BARRAZA,  
THO LE, and  
BERTRAM C. JOHNSON,

Plaintiffs,

v.

SIX UNKNOWN NAMES AGENTS, or  
MR. PRESIDENT OF THE UNITED STATES BARACK OBAMA,

Defendants.

---

ORDER OF DISMISSAL

---

Plaintiffs are in the custody of the Alabama-Etowah County Jail in Gadsden, Alabama. Plaintiffs initiated this action by filing a civil rights action under 42 U.S.C. § 1983. In an order entered on May 20, 2014, Magistrate Judge Boyd N. Boland directed Plaintiffs to file their claims on a Court-approved form used in filing prisoner complaints. Magistrate Judge Boland also directed Plaintiffs either to pay the filing fee in full or to submit a separate Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 for each named Plaintiff. Magistrate Judge Boland warned Plaintiffs that the action would be dismissed without further notice if they failed to cure the deficiencies within thirty days.

Plaintiffs have failed to submit the \$400 filing fee or in the alternative submit a request to proceed pursuant to 28 U.S.C. § 1915. They also have failed to submit their claims on a Court-approved form. The action will be dismissed because Plaintiffs have failed to comply with the March 20, 2014 Order 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 Plaintiffs file a notice of appeal he 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.

The Court acknowledges the imposition of filing restrictions in *Jo v. Six Unknown Names Agents, et al.*, No. 14-cv-00700-BNB, ECF No. 15 (D. Colo. Apr. 22, 2014). Because the order imposing filing restrictions was entered after this case was filed, the Court will refrain from addressing filing restrictions and monetary sanctions in this case. Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure all deficiencies and for failure to prosecute. 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