

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01727-BNB

TERRANCE FARRELL,

Plaintiff,

v.

DENVER HEALTH AND HOSPITAL AUTHORITY,
MEDICAL ADMINISTRATOR OF THE DDC PATIENT ADVOCATE OF DENVER
HEALTH,
CITY AND COUNTY OF DENVER,
DOCTOR GREG KELLERMEYER, and
GARY WILSON,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Terrance Farrell, is in the custody of the Colorado Department of Corrections at the Bent County Correctional Facility in Las Animas, Colorado. Plaintiff initiated this action by filing *pro se* a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. On June 23, 2014, Magistrate Judge Boyd N. Boland entered an order and directed Plaintiff to cure a certain deficiency in the pleading. Specifically, Magistrate Judge Boland directed Plaintiff to provide his signature where required on the Complaint form.

Magistrate Judge Boland warned Plaintiff that the action would be dismissed without further notice if he failed to cure the deficiency within thirty days. Plaintiff filed an Amended Prisoner Complaint, but the Complaint did not contain a signature page or a signature by Plaintiff. The Court, therefore, will dismiss this action for failure to cure

the noted deficiency.

The Court 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 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 also 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. 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 the deficiency and for failure to prosecute. It is

FURTHER ORDERED that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, ECF No. 2, is denied as moot. It is

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

DATED at Denver, Colorado, this 12th day of August, 2014.

BY THE COURT:

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