

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01922-BNB

MATTHEW T. WILLIAMS,

Applicant,

v.

[NO NAMED RESPONDENT]

Respondent.

ORDER OF DISMISSAL

Applicant, Matthew T. Williams, is a prisoner incarcerated at the San Carlos Correctional Facility in Pueblo, Colorado. Applicant initiated this action on July 8, 2014, by submitting a letter to the Court in which he appears to seek habeas corpus relief. Magistrate Judge Boyd N. Boland reviewed the letter and determined that it was deficient. On July 15, 2014, Applicant was directed to cure deficiencies by submitting his claims on the Court-approved form used in filing either a 28 U.S.C. § 2241 action or a 28 U.S.C. § 2254 action. Magistrate Judge Boland also directed Applicant to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action or pay the \$5.00 filing fee.

Magistrate Judge Boland warned Applicant that the action would be dismissed without further notice if he failed to comply within thirty days. Applicant now has failed to comply within the time allowed. Therefore, the action 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, therefore, *in forma pauperis* status will be denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Applicant files 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.

Accordingly, it is

ORDERED that the Application is denied and the action is 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. It is

FURTHER ORDERED that any pending motions are denied as moot.

DATED at Denver, Colorado, this 25th day of August, 2014.

BY THE COURT:

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