

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01924-BNB

VINCENT TODD MARTIN,

Plaintiff,

v.

PAUL BOURLESON,
JARED JOHNSON, and
THE STATE OF COLORADO,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Vincent Todd Martin, who resides in Denver, submitted *pro se* an Application to Proceed in District Court Without Prepaying Fees or Costs (ECF No. 2) and a Complaint (ECF No. 1) pursuant to Title VII asserting discrimination on the basis of religion and “financial and criminal background.” ECF No. 1 at 2. He was granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

The Court reviewed the documents and determined they were deficient. Therefore, on July 14, 2014, Magistrate Judge Boyd N. Boland entered an order (ECF No. 4) directing Mr. Martin to file within thirty days an amended Title VII Complaint on the Court-approved form that named the appropriate defendants and complied with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. The July 14 order warned him that if he failed to file an amended Title VII Complaint as directed

within the time allowed, the Title VII Complaint and the action would be dismissed without prejudice and without further notice.

On July 16, 2014, Mr. Martin filed a letter. He failed to cure the designated deficiencies as directed within the time allowed. Therefore, the action will be dismissed without prejudice for Mr. Martin's failure to file an amended Title VII Complaint as directed within the time allowed.

Finally, the Court certifies pursuant to § 1915(a)(3) that any appeal from this order would not be 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 Mr. Martin files a notice of appeal he also must pay the full \$505.00 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 action is dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Vincent Todd Martin, to file within the time allowed an amended Title VII Complaint as directed in the order of July 14, 2014. 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