

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02144-BNB

JEFF BARELA,

Plaintiff,

v.

BOULDER COUNTY,
LOUISVILLE POLICE DEPT.,
CITY OF LOUISVILLE, and
COZY CORNER TOWING,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Jeff Barela, resides in Boulder, Colorado. Plaintiff initiated this action by filing *pro se* a pleading titled "Verified Complaint in Replevin" and a Motion to File Without Payment of Filing Fee. In an order entered on August 7, 2014, Magistrate Judge Boyd N. Boland directed Plaintiff to cure certain deficiencies if he wished to pursue his claims. Specifically, Magistrate Judge Boland directed Plaintiff to file his claims and to submit a request to proceed pursuant to 28 U.S.C. § 1915 on proper Court-approved forms. Magistrate Judge Boland warned Plaintiff that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Plaintiff has failed to communicate with the Court and has failed to cure the deficiencies within the time allowed. The Court, therefore, will dismiss the action.

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 Plaintiff 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 Complaint and action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the August 7, 2014 Order, within the time allowed, 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 all pending motions are denied as moot.

DATED at Denver, Colorado, this 17th day of September, 2014.

BY THE COURT:

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