

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02827-GPG

ROOSEVELT MOOD,

Plaintiff,

v.

PAUL LAIRD, Regional Director, and  
PATRICIA RANGEL, ADX Unit Manager,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Roosevelt Mood, is in the custody of the federal Bureau of Prisons and is incarcerated at the ADX in Florence, Colorado. Mr. Mood initiated this action on October 16, 2014, by filing a Letter with the Court complaining about his conditions of confinement. (ECF No. 1). The Court opened a civil rights action pursuant to 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).

On October 20, 2014, Magistrate Judge Boyd N. Boland reviewed Mr. Mood's filing and determined that it was deficient. Magistrate Judge Boland directed Plaintiff to submit a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Prisoner Complaint on the court-approved forms. (ECF No. 3). Magistrate Judge Boland advised Mr. Mood that he could pay the \$400.00 filing fee in lieu of submitting a § 1915 motion and affidavit. (*Id.*). Plaintiff was warned in the October 20 Order that failure to cure the deficiencies would result in dismissal of this

action without further notice. (*Id.*).

Mr. Mood has now failed to comply with the October 20 Order. Moreover, he has not communicated with the Court since he initiated this action. Accordingly, it is

ORDERED that this action is DISMISSED without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Roosevelt Mood, to comply with the October 20, 2014 Order Directing Plaintiff to Cure Deficiencies. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied for the purpose of appeal. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Mr. Mood files a notice of appeal he must also 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.

DATED December 2, 2014, at Denver, Colorado.

BY THE COURT:

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