

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02934-GPG

SCOTT A. SOLLIS, E. U. [enslaved unlawfully],

Plaintiff,

v.

DIRECTOR NSA,
DIRECTOR FBI,
DIRECTOR HOMELAND SECURITY,
DIRECTOR DEA,
DIRECTOR FBI,
DIRECTOR COLORADO BUREAU OF INVESTIGATION
CHIEF OF POLICE, Grand Junction Police Department, and
PRESIDENT B. HUSSEIN OBAMA,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Scott A. Sollis, currently is incarcerated at the Mesa County Detention Facility in Grand Junction, Colorado. Mr. Sollis initiated this action by filing *pro se* a Prisoner Complaint (ECF No. 1) pursuant to 42 U.S.C. § 1983, and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 2). The Court reviewed the documents and determined they were deficient. Therefore on October 29, 2014, Magistrate Judge Gordon P. Gallagher directed Mr. Sollis to cure certain enumerated deficiencies in the case and file an amended Prisoner Complaint if he wished to pursue his claims.

The October 29 order directed Mr. Sollis within thirty days either to pay the \$400.00 filing fee or file a completed Prisoner's Motion and Affidavit for Leave to

Proceed Pursuant to 28 U.S.C. § 1915 on the proper, Court-approved form, i.e., the current form revised October 1, 2012, with an authorization and certificate of prison official, together with a certified copy of his trust fund account statement for the six-month period immediately preceding this filing obtained from the appropriate prison official. The October 29 order pointed out that the names in the caption to the § 1915 motion and affidavit did not match the names in the caption to the Prisoner Complaint. The October 29 order also directed that the amended Prisoner Complaint Mr. Sollis filed must comply with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure and allege the personal participation of each named Defendant. The order warned Mr. Sollis that if he failed to cure the designated deficiencies or file an amended Prisoner Complaint as directed within the time allowed, the Prisoner Complaint and the action may be dismissed without further notice.

Mr. Sollis has failed within the time allowed to pay the \$400.00 filing fee or cure the designated deficiencies, file an amended Prisoner Complaint as directed, or otherwise communicate with the Court in any way. Therefore, the Prisoner Complaint and the action will be dismissed for Mr. Sollis' failure within the time allowed to pay the \$400.00 filing fee or cure the designated deficiencies, his failure to file an amended Prisoner Complaint as directed, and his failure to prosecute.

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. Sollis 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 Prisoner Complaint (ECF No. 1) and the action are dismissed without prejudice pursuant to Rules 8 and 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Scott A. Sollis, within the time allowed to cure the designated deficiencies, file an amended Prisoner Complaint as directed in the order of October 29, 2014, and for his 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 8th day of December, 2014.

BY THE COURT:

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