

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-03301-GPG

AZFAR JADOON ANWAR,

Plaintiff,

v.

JILL HEUSER, and  
BRADLEY VARMO,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff Azfar J. Anwar currently resides in Denver, Colorado. Plaintiff initiated this action by filing *pro se* a Complaint and an Application to Proceed in District Court Without Prepayment of Fees or Costs. Magistrate Gordon P. Gallagher granted the Application on December 5, 2014. Magistrate Judge Gallagher then reviewed the merits of the Complaint and found that the Complaint failed to comply with Fed. R. Civ. P. 8. Plaintiff was directed to amend the complaint, state proper jurisdiction, and assert how each named defendant participated in violating his legal rights. Magistrate Judge Gallagher warned Plaintiff that if he failed to comply with the Order to Amend within the time allowed the Court would dismiss the action without further notice.

Plaintiff now has failed to comply with the Court's December 11, 2014 Order to Amend within the time allowed. The Court finds Magistrate Judge Gallagher correctly determined that Plaintiff failed to comply with Rule 8 and required him to amend the Complaint. The Court, therefore, will dismiss the action for failure to comply with a Court order and to prosecute.

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 paupers* status is 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 also pay the full \$505 appellate filing fee or file a motion to proceed *in forma pampers* in 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 file an Amended Complaint and for failure to prosecute. It is

FURTHER ORDERED that leave to proceed *in forma pampers* on appeal is denied.

DATED at Denver, Colorado, this 21<sup>st</sup> day of January, 2015.

BY THE COURT:

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