

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-00340-LTB
MELISSA BLACK,

Plaintiff,

v.

[NO DEFENDANT NAMED],

Defendant.

ORDER OF DISMISSAL

Plaintiff has submitted to the court a letter (ECF No. 1) she describes as a request to open a civil action and for appointment of counsel. Because it appears that Plaintiff intended to initiate a lawsuit asserting claims of employment discrimination, the instant action was commenced. As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the court determined that Ms. Black's pleadings were deficient. In an order entered on February 18, 2015, Magistrate Judge Gordon P. Gallagher directed Plaintiff to cure certain deficiencies if she wished to pursue her claims. Specifically, Magistrate Judge Gallagher informed Plaintiff to file a Title VII complaint and to file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) on proper Court-approved forms or pay the requisite filing fee (ECF No. 3). That Order specifically informed Ms. Black that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days. No further pleadings have been filed by Plaintiff to date.

Plaintiff has failed to cure the deficiencies within the time allowed. Therefore, the

action will be dismissed without prejudice for failure to cure the noted deficiencies.

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 is denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Plaintiff files a notice of appeal she must also pay the full \$505 appellate filing fee or file a motion to proceed in forma pauperis in the Tenth Circuit within thirty days in accordance with Fed. R. App. P. 24. Accordingly, it is

ORDERED that the Complaint and the action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies and for failure to prosecute. It is

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

DATED at Denver, Colorado, this 27th day of March, 2015.

BY THE COURT:

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