

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-0717-LTB

FATOUMAIA DOUMBIA,

Plaintiff,

v.

EXEMPLA LUTHERAN HOSPITAL,

Defendant.

ORDER OF DISMISSAL

Plaintiff, Fatoumaia Doumbia, currently resides in Boulder, Colorado. Plaintiff filed an Application to Proceed in District Court Without Prepaying Fees or Costs (ECF No. 3) and a Complaint. In an order entered on April 7, 2015, District Judge Lewis T. Babcock denied Plaintiff's Application and advised him that he was required to pay the \$400.00 filing fee within thirty days if he wished to pursue this action (ECF No. 4). In that Order, Judge Babcock warned Plaintiff that the action would be dismissed without further notice if he failed to pay the filing fee within thirty days. Plaintiff has failed to pay the required filing fee. Therefore, the action will be dismissed without prejudice.

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 he 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 14th day of May, 2015.

BY THE COURT:

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