

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01027-GPG

TARNELL JONES,

Plaintiff,

v.

DR. TIMOTHY BROWN,

Defendant.

ORDER OF DISMISSAL

Plaintiff Tarnell Jones is in the custody of the Colorado Department of Corrections and currently is incarcerated at the San Carlos Correctional Facility in Pueblo, Colorado. Plaintiff initiated this action by filing *pro se* a Prisoner Complaint, two motions to proceed pursuant to 28 U.S.C. § 1915, one of which pertains to habeas filings, a motion with multiple requests, and a supplement to the Complaint. In an order entered on May 15, 2015, Magistrate Judge Gordon P. Gallagher told Plaintiff that if he intends to pursue an action he must submit a certified account statement for the six months immediately preceding the filing of this action.

Magistrate Judge Gallagher warned Plaintiff that the action would be dismissed without further notice if he failed to cure the deficiency within thirty days. The thirty days now has run; and Plaintiff has not communicated with the Court. The Court, therefore, will dismiss the action.

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 will be

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 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.

Accordingly, it is

ORDERED that the Complaint and action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to comply with the May 15, 2015 Order, within the time allowed, and for failure to prosecute. It is

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

FURTHER ORDERED that all pending motions are denied.

DATED at Denver, Colorado, this 24th day of June, 2015.

BY THE COURT:

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