

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01278-GPG

VICKIE SANTISTEVAN,

Plaintiff,

v.

CITY HOME LOAN, a Utah Corp.,
COLOR ADAM COUNTY HUD, and
MILITARY LAND,

Defendants.

ORDER OF DISMISSAL

Plaintiff, Vickie Santistevan, initiated this action by filing *pro se* a Title VII Complaint (ECF No. 1). On June 17, 2015, Magistrate Judge Gordon P. Gallagher entered an order directing Ms. Santistevan to cure certain deficiencies if she wished to pursue any claims. Specifically, Magistrate Judge Gallagher noted that Ms. Santistevan used the wrong complaint form, the names of the parties in the caption do not match the names of the parties in the text of the pleading, she does not list an address for each Defendant, she does not assert any claims for relief, and she failed either to pay the filing fees or to file a motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Ms. Santistevan was warned that the action would be dismissed without further notice if she failed to cure these deficiencies within thirty days.

Ms. Santistevan has failed to cure the deficiencies within the time allowed and she has failed to respond in any way to Magistrate Judge Gallagher's June 17 order.

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

Furthermore, the Court certifies pursuant to 28 U.S.C. § 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 Plaintiff files a notice of appeal she also 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 Title VII Complaint and the action are dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Ms. Santistevan failed to cure the deficiencies as directed. It is

FURTHER ORDERED that leave to proceed *in forma pauperis* on appeal is denied without prejudice to the filing of a motion seeking leave to proceed *in forma pauperis* on appeal in the United States Court of Appeals for the Tenth Circuit.

DATED at Denver, Colorado, this 23rd day of July, 2015.

BY THE COURT:

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