

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01725-GPG

TARNELL LEON JONES,

Applicant,

v.

ADAMS COUNTY COURTS, and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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ORDER OF DISMISSAL

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On August 10, 2015, Applicant Tarnell Leon Jones initiated this action by filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, an inmate account statement, and miscellaneous documents. On August 11, 2015, Magistrate Judge Gordon P. Gallagher found the documents are deficient in part and directed Applicant to submit a 28 U.S.C. § 1915 Motion and a certified inmate account statement. Applicant was warned that the action would be dismissed without further notice if he failed to cure the deficiencies within thirty days.

Applicant has now failed to communicate with the Court. As a result, he has failed to cure the deficiencies within the time allowed. 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 is denied for the purpose of appeal. See *Coppedge v. United States*, 369 U.S. 438 (1962). If Applicant 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 action is 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. It is

FURTHER ORDERED that no certificate of appealability shall issue because Applicant has failed to show that jurists of reason would find it debatable that the district court was correct in its procedural ruling. *See Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000).

DATED at Denver, Colorado, this 18<sup>th</sup> day of September, 2015.

BY THE COURT:

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