

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

Civil Action No. 15-cv-02069-LTB

**YOHANIA MARTIN,**

Plaintiff,

v.

**Equal Employment Opportunities Commission,**

Defendant.

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**ORDER OF DISMISSAL**

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On September 18, 2015, Plaintiff, Yohania Martin, submitted to the court a complaint (ECF No. 1). As part of the court's review pursuant to D.C.COLO.LCivR 8.1(b), the court determined that Ms. Martin's pleadings were deficient. In an order entered on September 21, 2015, Magistrate Judge Gordon P. Gallagher directed Plaintiff to cure certain deficiencies if she wished to pursue his claims (ECF No. 4). Specifically, Magistrate Judge Gallagher ordered Plaintiff to file a proper request to proceed *in forma pauperis* pursuant to § 1915 on proper Court-approved forms with information on her income, assets, and obligations. The Order further ordered Plaintiff to file a Complaint on proper court-approved forms. That Order specifically informed Plaintiff that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days.

Plaintiff has not filed anything with the Court since she filed her Complaint. Thus, she 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

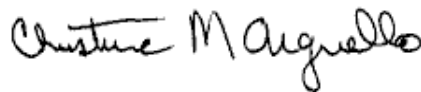
**ORDERED** that the Complaint and the action are dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies, for failure to prosecute and for failure to obey a court order. It is

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

**FURTHER ORDERED** that all pending motions are denied as moot.

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

BY THE COURT:



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Christine M. Arguello  
United States District Judge, for  
LEWIS T. BABCOCK, Senior Judge  
United States District Court