

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02075-GPG

JASMINE F. LUTES,

Plaintiff,

v.

ALLISON MORRISSEY, Public Trustee,  
FEDERAL HOME LOAN MORTGAGE CORPORATION, dba FREDDIE MAC, and  
PLAZA HOMEMORTGAGE, INC.

Defendants.

---

ORDER OF DISMISSAL

---

Plaintiff Jasmine F. Lutes currently resides in Bayfield, Colorado. Plaintiff initiated this action by filing *pro se* a Complaint for Violations of Fair Debt Collection, ECF No. 1, and an Affidavit of Indigency, ECF No. 3. On September 21, 2015, Magistrate Judge Gordon P. Gallagher directed Plaintiff to submit her claims on a Court-approved form used in filing *pro se* complaints and her request to proceed without payment of a filing fee on an Application to Proceed in District Court Without Prepaying Fees and Costs § 1915 or to pay the \$400 filing fee in full. Plaintiff was warned that the action would be dismissed without further notice if she failed to cure the deficiencies within thirty days.

Plaintiff now has failed to communicate with the Court, and as a result, she has failed to cure the deficiencies within the time allowed. The Court, therefore, will dismiss the action.

Finally, the Court 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 she 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 action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to cure the deficiencies within the time allowed. It is

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

DATED at Denver, Colorado, this 23<sup>rd</sup> day of October, 2015.

BY THE COURT:

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