

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02206-GPG

RONALD SATISH EMRIT,

Plaintiff,

v.

WESTERN UNION,  
MONEYGRAM INTERNATIONAL, INC., and  
RONALD CEPHAS EMRIT,

Defendants.

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ORDER OF DISMISSAL

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Plaintiff, Ronald Satish Emrit, initiated this action by filing *pro se* a Complaint (ECF No. 1) and an Application to Proceed in District Court Without Prepayment of Fees or Costs (Long Form) (ECF No. 3). On October 14, 2015, Magistrate Judge Gordon P. Gallagher entered an order directing Mr. Emrit to cure certain deficiencies if he wished to pursue his claims. (ECF No. 4). Specifically, Magistrate Judge Gallagher directed Mr. Emrit to file his Complaint on the proper court-approved form as required by the local rules for the District of Colorado. Mr. Emrit was warned that the action would be dismissed without further notice if he failed to cure the deficiency within thirty days.

Mr. Emrit has failed to cure the deficiency within the time allowed and he has failed to respond in any way to Magistrate Judge Gallagher's October 14, 2015 order.

Therefore, the action will be dismissed without prejudice for failure to prosecute and cure the deficiency.

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 he 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 Complaint (ECF No. 1) and the action are dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure because Mr. Emrit failed to prosecute and cure the deficiency 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. It is

FURTHER ORDERED that the Application to Proceed in District Court Without Prepayment of Fees or Costs (Long Form) (ECF No. 3) is DENIED as moot.

DATED at Denver, Colorado, this 19<sup>th</sup> day of November, 2015.

BY THE COURT:

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