

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02230-GPG

MAURICE WILSON,

Applicant,

v.

THERESA COZZA-RHODES,

Respondent.

ORDER OF DISMISSAL

Applicant Maurice Wilson is in the custody of the Federal Bureau of Prisons and currently is incarcerated at the United States Penitentiary in Florence, Colorado.

Applicant initiated this action by filing *pro se* an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. Magistrate Judge Gordon P. Gallagher granted Applicant leave to proceed pursuant to 28 U.S.C. § 1915.

On March 4, 2016, after review of the claims, Magistrate Judge Gallagher directed Applicant to file an Amended Application that (1) identifies only the disciplinary proceedings that affect the forfeiture or disallowance of good conduct time; (2) sets forth each disciplinary action by a report number on the application form or attached pages; and (3) states specifically for each report number how Applicant's due process rights were violated in each disciplinary action. Magistrate Judge Gallagher warned Applicant that if he failed to amend within the time allowed the action would be dismissed.

The time has run for Applicant to submit an Amended Application; and Applicant has failed to communicate with the Court. The Court, therefore, will dismiss this action for failure to comply with the order to amend the Application.

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 Application is denied and the action is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to file an Amended Application and for failure to prosecute.

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

DATED at Denver, Colorado, this 30th day of March, 2016.

BY THE COURT:

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