

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK-----X
MARK CHRISTOPHER IRVING,

Plaintiff,

-against-

DAVID GMACH, and CONSOLIDATED
EDISON COMPANY OF NEW YORK,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

Plaintiff Mark Christopher Irving, appearing *pro se*, filed this action on June 29, 2017, alleging employment discrimination on account of his race and age under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (“Title VII”). By Order dated July 18, 2017, the Court denied Irving’s application to proceed *in forma pauperis* (“IFP”). The Court directed Irving to pay the filing fee of \$400 to the Clerk of Court by August 18, 2017. To date, Irving has failed to pay the filing fee. Accordingly, the action is dismissed without prejudice.

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 is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment and close this case. The Clerk of Court is directed to mail a copy of this order and the accompanying judgment to plaintiff *pro se* Mark Christopher Irving at the address listed on the docket, and note the mailing on the docket.

SO ORDERED.

Dated: Brooklyn, New York
Oct 26, 2017

s/Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge