

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**  
**FOR THE TENTH CIRCUIT**

**March 18, 2022**

**Christopher M. Wolpert**  
**Clerk of Court**

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BRITTANY CROWNHART,

Plaintiff - Appellant,

v.

STRIVE MESA DEVELOPMENTAL  
SERVICES; MARK MUSICH; LAURA  
RUSSELL,

Defendants - Appellees.

No. 21-1329  
(D.C. No. 1:21-CV-01691-LTB)  
(D. Colo.)

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**ORDER AND JUDGMENT\***

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Before **BACHARACH, BRISCOE, and ROSSMAN**, Circuit Judges.

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Brittany Crownhart applied in the district court to bring this suit without prepaying the filing fees. The district court denied her application, concluding she could afford to pay the fees. The court ordered her to pay them within thirty days and warned that, if she failed to do so, the case would be dismissed. Thirty-nine days later, Ms. Crownhart having failed to pay the fees, the court dismissed the case

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\* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

without prejudice. Ms. Crownhart appeals. Ms. Crownhart represents herself, so we construe her filings liberally. *See Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

Federal Rule of Civil Procedure 41(b) allows a court to dismiss a case if the plaintiff fails to comply with a court order. *See Davis v. Miller*, 571 F.3d 1058, 1060 (10th Cir. 2009). If the dismissal is without prejudice, the court need not give “attention to any particular procedures.” *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1162 (10th Cir. 2007). We review Rule 41(b) dismissals for an abuse of discretion. *Id.* at 1161.

Ms. Crownhart argues that the district court should not have dismissed the case without addressing the merits. It is true, of course, the district court did not address the merits. But it had no reason to do so because its decision stemmed from Ms. Crownhart’s failure to comply with its order to pay fees, an issue unrelated to the merits. Because Ms. Crownhart neither challenged the order to pay fees nor tried to comply with it, the district court acted within its discretion when it dismissed the case without prejudice.

We turn now to Ms. Crownhart’s three pending motions.

- We deny her motion to proceed on appeal without prepaying costs and fees because she has not presented “a reasoned, nonfrivolous argument on the law and facts.” *DeBardleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991).
- We deny her motion, filed October 6, 2021, “to add case no. 20-5557” and to file a supplemental brief. Mot. at 1 (capitalization standardized). No case in

this court has been assigned number 20-5557, and her supplemental brief does not address the alleged error surrounding the district court’s dismissal.

- We deny her motion, filed October 19, 2021, to “file additional brief.” Mot. at 1 (capitalization standardized). Her second supplemental brief also does not address the district court’s dismissal.

In sum, we affirm the district court’s judgment and deny Ms. Crownhart’s three pending motions.

Entered for the Court

Veronica S. Rossman  
Circuit Judge