

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLO.

MAY 15 2006

Civil Action No. 06 - CV - 00901 - BAB
(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

CREGORY C. LANGSHAM
CLERK

PAULA ALAYNE TURNER,

Applicant,

v.

JEFFERSON COUNTY, Colorado, and
JUDICIAL COURT,

Respondents.

**ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION AND
DIRECTING APPLICANT TO CURE DEFICIENCY**

Applicant has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. The court has determined that the document is deficient as described in this order. Notwithstanding the deficiencies, the clerk of the court will be directed to commence a civil action. Applicant will be directed to cure the following if she wishes to pursue her claims. Any papers which Applicant files in response to this order must include the civil action number on this order.

Although Applicant has indicated that she desires to file a habeas corpus action, she has not filed an application and does not state the type of habeas action she intends to file. Therefore, the clerk of the court will send both an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 and an Application for a Writ of

Habeas Corpus to 28 U.S.C. § 2241 to Ms. Turner, so that she may file the correct application with the Court.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted
- (2) is missing affidavit
- (3) is missing certified copy of prisoner's trust fund statement immediately preceding this filing
- (4) is missing required financial information
- (5) is missing an original signature by the prisoner
- (6) is not on proper form (must use the court's current form)
- (7) names in caption do not match names in caption of complaint, petition or habeas application
- (8) An original and a copy have not been received by the court. Only an original has been received.
- (9) other _____

Complaint, Petition or Application:

- (10) is not submitted
- (11) is not on proper form (must use the court's current form)
- (12) is missing an original signature by the prisoner
- (13) is missing page nos. ____
- (14) uses et al. instead of listing all parties in caption
- (15) An original and a copy have not been received by the court. Only an original has been received.
- (16) Sufficient copies to serve each defendant/respondent have not been received by the court.
- (17) names in caption do not match names in text
- (18) other _____

Accordingly, it is

ORDERED that the clerk of the court commence a civil action in this matter. It is

FURTHER ORDERED that Applicant cure the deficiencies designated above **within thirty (30) days from the date of this order.** Any papers which Applicant files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to Applicant, together with a copy of this order, two copies of the following forms: an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254; Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. It is

FURTHER ORDERED that, if Applicant fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the complaint and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 12th day of May, 2006.

BY THE COURT:



BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No.

06 - CV - 00901 - *BWB*

Paula Alayne Turner
1618 Spruce Street #3
Pueblo, CO 81004

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254** and an **Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241** to the above-named individuals on 5-15-06

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk