

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 06-cv-01477-MSK

ROBERT BRUCE SULLIVAN,

Applicant,

v.

JOHN W. SUTHERS, The Attorney General of the State of Colorado,

Respondent.

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**ORDER TO CURE DEFICIENCY**

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Krieger, Judge

Applicant submitted a Notice of Appeal on October 13, 2009. The Court has determined that the document is deficient as described in this order. Applicant will be directed to cure the following if he wishes to pursue this appeal.

**(A) Filing Fee**

X is not submitted

**(B) Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24:**

X is not submitted

— is not on proper form (must use the court's current form)

— is missing original signature by plaintiff/petitioner on motion

— is missing affidavit

— affidavit is incomplete

— is missing original signature by plaintiff/petitioner on affidavit

— affidavit is not notarized or is not properly notarized

— other \_\_\_\_\_

Accordingly, it is

**ORDERED** that Applicant cure the deficiencies designated above within 30 days from the date of this order. Any papers that 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, an original and one copy of the following forms: Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24. It is

**FURTHER ORDERED** that, if Applicant fails to cure the designated deficiencies within thirty (30) days from the date of this order, the court of appeals will be so notified.

DATED this 19<sup>th</sup> day of October, 2009.

**BY THE COURT:**

A handwritten signature in black ink, reading "Marcia S. Krieger", is written over a horizontal line.

Marcia S. Krieger  
United States District Judge