

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. **07-CV-00113** *bnb*
(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.)

JAN 17 2007

GRECO, J. C. INGHAM
CLERK

JOHN A. CLAICE,

Plaintiff,

v.

CAPT. SCOTT GIBSON - #1481, Ad-Seg SCF Unit - DOC of Colo.,
MAJOR L. WAIDE # NA, West CCM Manger SCF - DOC of Colo.,
STATE OF COLO. SCF WARDEN MILYARD #NA Warden of SCF of DOC.,
SARGENT [sic] CASH #NA, Ad-Seg CH 6 Supervisor,
CO T. BOYER, #NA, CO Ad-Seg CH 6 Standard Guard,
SCF DR. FERREL #NA, Doctor for Ad-Seg Mental Health,
SARGENT [sic] VAN DURAN #NA, Night Shift Supervisor,
SCF MEDICAL CLINIC,
LT. BARNES #NA, Ad-Seg SCF DOC of Colo.,
LT. MAY #NA, Ad-Seg SCF DOC of Colo.,
LT. NICHOLS #NA, Ad-Seg SCF DOC of Colo.,
DOCTOR NAME NA #NA, SCF Mental Health of DOC of Colo.,
DOCTOR NAME NA #NA, SCF Mental Health of DOC of Colo.,
CO LAMBERT #NA, SCF Night Shift CO, DOC of Colo.,
CO WILLICH #NA, SCF Swing Shift CO Ad-Seg, DOC of Colo.,
SARGANT [sic] CHRISTIAN #NA, SCF CO Ad-Seg Morning Shift DOC of Colo.,
CASE MANAGER HUMPHREY #NA, SCF Case Manager Ad-Seg Unit DOC of Colo.
80751., and
CO LARSON #119609 - SCF CO Ad-Seg Morning Shift DOC of Colo. 80751,

Defendants.

ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION AND
DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff has submitted a Prisoner's Motion and Affidavit for Leave to Proceed
Pursuant to 28 U.S.C. §1915, a Motion for Preliminary Injunction/TRO, and a Prisoner

Complaint. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted documents are deficient as described in this order. Notwithstanding the deficiencies, the clerk of the court will be directed to commence a civil action. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers which the Plaintiff files in response to this order must include the civil action number on this order.

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 for the 6-month period immediately preceding this filing (Account statement submitted is not certified by a prison official.)
- (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 the Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Plaintiff files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that, if the Plaintiff 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 16th day of January, 2007.

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. **07 - CV - 00113**

John A. Claice
Reg. No. 105782
Sterling Correctional Facility
PO Box 6000
Sterling, CO 80751

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 1-17-07

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk