

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUN 21 2007

Civil Action No. 07-cv-01281-BNB

GREGORY C. LANGHAM  
CLERK

**(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.)**

VERNON GALLOWAY,

Applicant,

v.

UNNAMED RESPONDENT,

Respondent.

---

**ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES**

---

Applicant, Vernon Galloway, currently is detained at the Colorado Medical Hospital in Pueblo, Colorado. Originally he filed a document with the United States District Court for the Western District of Kentucky (Western District of Kentucky) that the court determined was an attempt by Mr. Galloway to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Western District of Kentucky directed Applicant to file his claims on an appropriate form. When the Western District of Kentucky received the § 2254 form from Applicant, the court further determined that Mr. Galloway was challenging a state court sentencing in Colorado Springs, Colorado. The Western District of Kentucky then ordered the instant action transferred to this Court pursuant to 28 U.S.C. § 1406(a).

As part of this Court's review pursuant to D.C.COLO.LCivR 8.2, this Court has determined that the submitted documents are deficient as described in this Order.

Applicant will be directed to cure the following if he wishes to pursue his claims. Any papers which 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
- (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 Applicant cure the deficiencies designated above **within thirty 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: Prisoner's Motion and Affidavit

for Leave to Proceed Pursuant to 28 U.S.C. §1915 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254. It is

FURTHER ORDERED that if Applicant fails to cure the designated deficiencies **within thirty days from the date of this Order** the Application will be denied and the action will be dismissed without further notice.

DATED June 21, 2007, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 07-cv-01281-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.)**

VERNON GALLOWAY,

Applicant,

v.

UNNAMED RESPONDENT,

Respondent.

---

**ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES**

---

Applicant, Vernon Galloway, currently is detained at the Colorado Medical Hospital in Pueblo, Colorado. Originally he filed a document with the United States District Court for the Western District of Kentucky (Western District of Kentucky) that the court determined was an attempt by Mr. Galloway to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Western District of Kentucky directed Applicant to file his claims on an appropriate form. When the Western District of Kentucky received the § 2254 form from Applicant, the court further determined that Mr. Galloway was challenging a state court sentencing in Colorado Springs, Colorado. The Western District of Kentucky then ordered the instant action transferred to this Court pursuant to 28 U.S.C. § 1406(a).

As part of this Court's review pursuant to D.C.COLO.LCivR 8.2, this Court has determined that the submitted documents are deficient as described in this Order.

Applicant will be directed to cure the following if he wishes to pursue his claims. Any papers which 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
- (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 Applicant cure the deficiencies designated above **within thirty 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: Prisoner's Motion and Affidavit

for Leave to Proceed Pursuant to 28 U.S.C. §1915 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254. It is

FURTHER ORDERED that if Applicant fails to cure the designated deficiencies **within thirty days from the date of this Order** the Application will be denied and the action will be dismissed without further notice.

DATED June 21, 2007, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

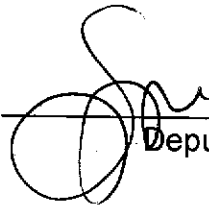
Civil Action No. 07-cv-01281-BNB

Vernon Galloway  
#A00196165  
CMHIP - HS11  
1600 W. 24<sup>TH</sup> St.  
Pueblo, CO 81003

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254** to the above-named individuals on 6/21/07

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_



Deputy Clerk