

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

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

JUN 28 2007

GREGORY C. LANGHAM  
CLERK

Civil Action No. **07 - CV - 01356 - 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.)

JOSE VEGA,

Plaintiff,

v.

R. WILEY, Warden of ADX,  
CAPTAIN CASSANIADER OF ADX,  
LT. CRAIG OF ADX,  
OFFICER COLLINS OF ADX,  
OFFICER DAVIS OF ADX,  
OFFICER GOFF OF ADX,  
OFFICER HOLCOMB OF ADX,  
OFFICER JARBON OF ADX,  
OFFICER JETT OF ADX,  
OFFICER POTTER OF ADX,  
OFFICER MADDONA OF ADX,  
OFFICER SIDESINGER OF ADX, and  
OFFICERS UNKNOWN AND/OR UNIDENTIFIED EMPLOYED AT ADX,

Defendants.

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

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Plaintiff has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915, a Plaintiff's Motion Requesting Court Order to Seal Court Proceedings, Papers and Documents Pursuant to D.C. COLO.LCivR 7.2; and 7.3, a Plaintiff's Good Faith Certification, a Plaintiff's Motion to Grant Writ and Issue and Order for Respondents to Show Cause, a Plaintiff's Motion Requeusting Court to Order

Respondents to Administer a Polygraph Test on Plaintiff Pursuant to Program Statement No. 5110.13, a Plaintiff's Motion for Order Consolidating Fees Incurred in This Action With Prior Outstanding PLRA Obligations Under Title 42 U.S.C. § 1997 (E), a Plaintiff's Motion and Affidavit for Leave to Proceed Pursuant to Title 28 U.S.C. §1915, a Prisoner Complaint, and a Writ of Mandamus Pursuant to Title 28 U.S.C. §1361; and Preliminary and Declaratory Relief Per Federal Rules of Civil Procedures, Rule 65(A); and Title 28 U.S.C. §2202 (Pub.L. 87-748, §1 (A) Oct. 5, 1962, 76 STAT. 744); (June 25, 1948, C.646, 62 STAT.964). 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 does not cover the entire 6-month period.)
- (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 the Plaintiff's Motion Requesting Court Order to Seal Court Proceedings, Papers and Documents Pursuant to D.C. COLO.LCivR 7.2; and 7.3 is denied. 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 action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 25<sup>th</sup> day of June, 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 - 01356 - BNB**

Jose Vega  
Reg. No. 45189-053  
ADX - Florence  
PO Box 8500  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 6/28/07

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk