

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 07 - CV - 01459 Bnb

JUL 11 2007

(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.)

GREGORY C. LANGHAM
CLERK

GREGORY BLUE, and
POLLEA ANNE BLUE,

Plaintiffs,

v.

COLORADO SPRINGS POLICE DEPT.,
FEDERAL POSTAL INSPECTORS,
STATE OF COLORADO,
JOSEPH GALERA,
JUDGE DAVID PRINCE,
DISTRICT ATTORNEY M. VELAR,
CITY OF COLORADO SPRINGS, CO., and
COUNTY OF EL PASO, COLORADO,

Defendants.

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

Plaintiff Gregory Blue has submitted a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the documents are deficient as described in this order. Notwithstanding the deficiencies, the clerk of the court will be directed to commence a civil action. Plaintiffs will be directed to cure the following if they wish to pursue their claims. Any papers that Plaintiffs file 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 (by Plaintiff Pollea Anne Blue)
- (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 by Plaintiff Gregory Blue 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 Plaintiff Pollea Anne Blue)
- (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 Plaintiffs cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers that Plaintiffs file in response to this order must include the civil action number on this order. It is

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

Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action is granted. It is

FURTHER ORDERED that process shall not issue until further order of the court.

DATED at Denver, Colorado, this 5th day of July, 2007.

BY THE COURT:



CRAIG B. SHAFFER
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO


CERTIFICATE OF MAILING

Civil Action No. **07 - CV - 01459**

Gregory Blue
Prisoner No. 194079
CJC - Unit 2C2
2739 E. Las Vegas Street
Colorado Springs, CO 80906

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 7-11-07

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk