

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-01944-ZLW

JOHN J. MCCARTHY,

Plaintiff,

v.

WARDEN,

Defendant.

ORDER TO CURE DEFICIENCY

Weinshienk, Senior Judge

Petitioner submitted a Notice of Appeal on January 17, 2009. The court has determined that the document is deficient as described in this order. Petitioner will be directed to cure the following if he wishes to pursue this appeal.

(A) Filing Fee

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:

is not submitted

is missing affidavit

is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing

is missing required financial information

is missing an original signature by the prisoner

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

other _____

Accordingly, it is

ORDERED that Petitioner cure the deficiencies designated above within 30 days from

the date of this order. Any papers that Petitioner filed 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 Petitioner, 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 Petitioner fails to cure the designated deficiencies within 30 days from the date of this order, the court of appeals will be so notified.

DATED at Denver, Colorado this 19th day of February, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Zita L. Weinsienk". The signature is written in a cursive style with a large initial "Z".

ZITA L. WEINSHIENK, Senior Judge
United States District Court