

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02249-KLM-MEH

ROY D. SPENCER,

Plaintiff,

v.

U.S. POSTAL SERVICE and,
JOHN E. POTTER, Postmaster General,

Defendants.

ORDER TO CURE DEFICIENCY

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

Plaintiff submitted a Notice of Appeal on February 1, 2010 [Docket No. 58]. The Court has determined that the document is deficient as described in this order. Plaintiff 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 not on proper form (must use the court's current form)

is missing original signature by plaintiff/petitioner on motion

is missing affidavit

affidavit is incomplete

is missing original signature by plaintiff/petitioner on affidavit

affidavit is not notarized or is not properly notarized

other _____

Accordingly,

IT IS **ORDERED** that Plaintiff cure the deficiencies designated above within 30

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

Dated: February 1, 2010

BY THE COURT:
s/ Kristen L. Mix
U.S. Magistrate Judge
Kristen L. Mix