

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02471-ZLW

JONATHAN SCHMIER,

Plaintiff,

v.

MCDONALD'S LLC,

Defendant.

ORDER TO CURE DEFICIENCY

Weinshienk, Senior Judge

Plaintiff submitted a Notice of Appeal on January 22, 2009. 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 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 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 at Denver, Colorado this 23rd day of January, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Zita L. Weinschenk". The signature is written in a cursive style with a horizontal line underneath the name.

ZITA L. WEINSHIENK, Senior Judge
United States District Court