

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 13 2009

GREGORY C. LANGHAM
CLERK

Civil Action No. '09 - CV - 00050 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.)

ADAM KARTIGANER,

Plaintiff,

v.

HUERFANO COUNTY, COLORADO,
THE CITY OF WALSENBURG, COLORADO,
BRUCE NEWMAN IN HIS OFFICIAL CAPACITY OF SHERIFF OF HUERFANO COUNTY OF COLORADO,
LARRY BALDONADO IN HIS OFFICIAL CAPACITY OF POLICE CHIEF OF WALSENBURG, COLORADO,
DEREK PETERS IN HIS OFFICIAL CAPACITY OF POLICE OFFICER OF WALSENBURG, COLORADO,
JOE BERNAL IN HIS OFFICIAL CAPACITY OF POLICE OFFICER OF WALSENBURG, COLORADO,
LEE ALLEN HAWKE IN HIS OFFICIAL CAPACITY OF DISTRICT ATTORNEY OF THE 3RD DISTRICT OF COLORADO,
DIANNA PACHECO IN HER OFFICIAL CAPACITY OF INVESTIGATOR OF THE DISTRICT ATTORNEY FOR THE 3RD DISTRICT OF COLORADO,
THE 3RD DISTRICT COURT OF COLORADO,
THE COLORADO BUREAU OF INVESTIGATION,
JAUB COUNTY UTAH,
ALDEN ORME IN HIS OFFICIAL CAPACITY OF SHERIFF OF JAUB COUNTY UTAH,
HOBY METZ IN HIS OFFICIAL CAPACITY OF UTAH HIGHWAY PATROL OFFICER, THE 4TH DISTRICT COURT OF UTAH,
MAY AUTOMOTIVE TOWING LLC,
UTAH STATE TAX COMMISSION, and
DOES 1 TO 10,

Defendants.

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

Plaintiff has submitted a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, and a Complaint. As part of the court's review pursuant to D.C.COLO.LCivR 8.1, 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.

Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) is not submitted
- (2) is not on proper form (must use the court's current form)
- (3) is missing original signature by Plaintiff
- (4) is missing affidavit
- (5) affidavit is incomplete
- (6) affidavit is not notarized or is not properly notarized
- (7) names in caption do not match names in caption of complaint, petition or application
- (8) An original and a copy have not been received by the court. Only an original has been received.
- (9) other _____

Complaint or Petition:

- (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 Plaintiff
- (13) is incomplete
- (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: Addresses are not provided for all named defendants.

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 clerk of the court mail to the Plaintiff, together with a copy of this order, copies of the following form(s): Complaint. 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 complaint and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 9th day of January, 2009.

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. **'09 - CV - 00050**

Adam Kartiganer
P.O. Box 93578
Pasadena, CA 91109

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Complaint** to the above-named individuals on 1/13/09

GREGORY C. LANGHAM, CLERK

By: _____



Deputy Clerk