

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00285-DME-MJW

GEORGE BANKS,

Plaintiff,

v.

CAPTAIN HODAK,

Defendant.

ORDER TO CURE DEFICIENCY

Ebel, Judge

Plaintiff submitted a Misdirected Notice of Appeal on February 1, 2010. 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 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 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 30 days from the date of this order, the court of appeals will be so notified.

DATED at Denver, Colorado this 3rd day of February, 2010.

BY THE COURT:

s/ David M. Ebel

JUDGE, UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLORADO