

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 20 2009

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

'09 - CV - 00355 BAB

Civil Action No. _____

(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.)

JONATHAN LEE RICHES d/b/a/ HARRY MARKOPOLOS,

Plaintiff,

v.

THE CONSUMER PRODUCT SAFETY IMPROVEMENT ACT,
CONSUMER PRODUCT SAFETY COMMISSION,
NANCY NORD,
THOMAS MOORE,
TOY INDUSTRY ASSOCIATION,
CARTER KEITHLEY,
NATIONAL ASSOCIATION OF MANUFACTURES,
INTERNATIONAL COUNCIL OF SHOPPING CENTERS, ICSC,
CONSUMER ELECTRONICS SHOW,
NATIONAL RETAIL FEDERATION,
MATTEL,
HASBRO d/b/a HASBRO.COM,
LEGO d/b/a LEGO.COM,
MARVEL COMICS ENTERTAINMENT,
PROCTER & GAMBLE,
CIRCUIT CITY,
WALT DISNEY CO.,
BLACK & DECKER,
BEST BUY,
JOHNSON & JOHNSON,
NICKELODEON,
AMAZON.COM
FISHER PRICE,
FAO SCHWARTZ,
COLGATE,
PALMOLIVE,
ENERGIZER,
TOYS FOR TOTS,
MOTOROLA,
KB TOY STORE,
TOYS R US,

FAMILY DOLLAR, and
CONSUMER REPORTS,

Defendants.

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

Plaintiff has submitted a document titled, "Preliminary Injunction, Temporary Restraining Order, TRO 42 U.S.C. 1983, Civil Rights Violations." He has failed either to pay the \$350.00 filing fee or to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted document is 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.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted
- (2) is missing affidavit
- (3) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) is missing required financial information
- (5) is missing an original signature by the prisoner
- (6) is not on proper form (must use the court's current form)
- (7) names in caption do not match names in caption of complaint, petition or habeas application
- (8) An original and a copy have not been received by the court. Only an original has been received.
- (9) other: motion is necessary only if filing fee is not paid in advance.

Complaint, Petition or Application:

- (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 prisoner
- (13) ___ is missing page nos. ___
- (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) X other: Complaint not separate from Preliminary Injunction and Temporary Restraining Motion.

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, two copies of the following form: Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915; Prisoner 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 19th day of February, 2009.

BY THE COURT:

Boyd N Boland
 BOYD N. BOLAND
 United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

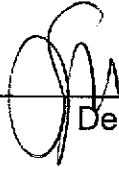
CERTIFICATE OF MAILING

Civil Action No. '09 - CV - 00355

Jonathan Lee Riches
Reg. No. 40948-018
FCI - Williamsburg
PO Box 340
Salters, SC 29590

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915 and the Prisoner Complaint forms** to the above-named individuals on 2/20/09

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk