

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-01202-MSK

LEO SIMMONS,

Plaintiff,

v.

H. BRILL, Warden,
PHILLIPS, Chairperson,
MINDEE MITCHELL,
ANGELA MORELAND,
MERCHANT, C/O,
FRAZIER, C/O,
DOWD, C/O, and
DELGADO, C/O,

Defendants.

ORDER TO CURE DEFICIENCY

Krieger, Judge

Plaintiff submitted a Notice of Appeal on March 22, 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 Trust account not certified by a prison official

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 this 25th day of March, 2010.

BY THE COURT:



Marcia S. Krieger
United States District Judge