

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

Civil Action No. 09-cv-01268-MSK-KLM

ERNEST WEST,

Plaintiff,

v.

MR. YEATON, Unit Manager CMRC, and  
MS. CALLWELL, CMRC Medical,

Defendants.

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ORDER TO CURE DEFICIENCY

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Krieger, Judge

Plaintiff submitted a Notice of Appeal on January 20, 2011. 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 this 24<sup>th</sup> day of January, 2011.

**BY THE COURT:**

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a distinct dot over the 'i' in "Krieger".

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Marcia S. Krieger  
United States District Judge