

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09CV02182 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.)

GLEN BLACKBURN,

Applicant,

v.

RON WILEY, Warden, Federal Prison Camp - Florence,

Respondent.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

SEP 14 2009

GREGORY C. LANGHAM
CLERK

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

Applicant has submitted a Civil Cover Sheet, a "Praecipe," a "Notice of Motion for the Court to Take Judicial Notice Pursuant to USCS Federal Rules of Evidence, Rule 201(d), That All Inmates at FPC-Florence Are Not Receiving Any More Than 6 Months of Halfway House and Are Also Not Being Transferred to Halfway Houses Where They Can Finish Their Sentences Because of Invalid BOP Regulations, Policies, and Rules," a "Notice of Omnibus Motion for an Order to Certify the Class and for the Appointment of Counsel to Represent the Class, or the Notice of Interlocutory Appeal," an "Appellant's Notice of No Consent to the Assignment of Proceedings to a United States Magistrate Judge Under 28 USCS § 636(c)," an "Applicant's Rejection of Any Consent to the Exercise of Jurisdiction by a United States Magistrate Judge and Objection to the Assignment of This Case to Judge Zita L. Weinshienk," a "Notice That

This Application for Writ of Habeas Corpus Challenges the Validity of the Regulations and Policies of the U.S. Federal Bureau of Prisons,” and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. He has failed either to pay the \$5.00 filing fee or to file a Prisoner’s Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. As part of the court’s review pursuant to D.C.COLO.LCivR 8.2, 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. Applicant will be directed to cure the following if he wishes to pursue his claims. Any papers which the Applicant 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 certificate showing current balance in prison account
- (5) is missing required financial information
- (6) is missing an original signature by the prisoner
- (7) is not on proper form (must use the court’s current form)
- (8) names in caption do not match names in caption of complaint, petition or habeas application
- (9) An original and a copy have not been received by the court.
Only an original has been received.
- (10) other: Motion is necessary only if filing fee is not paid in advance.

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper form (must use the court’s current form)
- (13) is missing an original signature by the prisoner
- (14) is missing page nos.
- (15) uses et al. instead of listing all parties in caption
- (16) An original and a copy have not been received by the court. Only an original has been received.

- (17) ___ Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18) ___ names in caption do not match names in text
- (19) ___ other _____

Accordingly, it is

ORDERED that the clerk of the court commence a civil action in this matter. It is

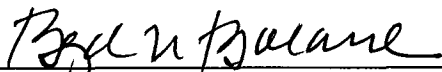
FURTHER ORDERED that the Applicant cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Applicant files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to the Applicant, 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 in a Habeas Corpus Action. It is

FURTHER ORDERED that, if the Applicant fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the application and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 14th day of September, 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. **09CV02182**

Glen Blackburn
Reg No. 09810-091
Federal Prison Camp
P.O. Box 5000
Florence, CO 81226-5000

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** in a **Habeas Corpus Action** to the above-named individuals on 9/14/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk