

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02402-ZLW

VINCENT EUGENE WELLS,

Plaintiff,

v.

BEVERLY DOWIS, Health Supervisor Administrator, Sterling Correctional Facility,  
Colorado Department of Corrections, in Her Official and Individual Capacities,  
CHERYL SMITH, Colorado Department of Corrections Clinical Director, in Her Official  
and Individual Capacities,  
PHYSICIAN'S HEALTH PARTNERS, Colorado Department of Corrections insurer,  
Consultants, and Providers, in Official and Individual Capacities,  
JO ANNE STOCK, Physicians Assistant, Colorado Department of Corrections, Sterling  
Correctional Facility, in Her Official Capacity,  
JOSEPH FORTUNATO, Physician, Colorado Department of Corrections, Sterling  
Correctional Facility, in His Official and Individual Capacities, and  
BARRY GOLDSMITH, Physician (M.D.), Colorado Department of Corrections, Sterling  
Correctional Facility, in His Official and Individual Capacities,

Defendants.

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ORDER TO CURE DEFICIENCY

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Weinshienk, Senior Judge

Plaintiff submitted a Notice of Appeal on December 3, 2009. 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**

  X   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:**

  X   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

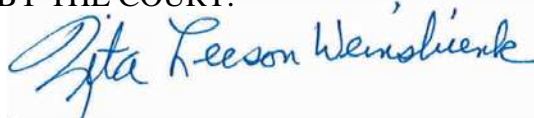
ORDERED that Plaintiff cure the deficiencies designated above within 30 days from the date of this order. Any papers that Plaintiff filed in response to this order must include the civil action number on this order. It is

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 9<sup>th</sup> day of December, 2009.

BY THE COURT:



ZITA LEESON WEINSHIENK,  
Senior Judge United States District Court