

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

09CV02970 - BNB

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.)

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

DEC 21 2009

GREGORY C. LANGHAM
CLERK

LESTER L. WASHINGTON,

Plaintiff,

v.

COLORADO STATE UNIVERSITY, Ft. Collins,
COLORADO STATE UNIVERSITY BOARD OF GOVERNORS, of the Colorado State University System as the Governing Body of Colorado State University System and Colorado State University, Ft. Collins, (CSUFC), is sued in its official capacity,

DR. LARRY PENLEY, CSUFC President, in his official and individual capacities,
DR. ANTHONY FRANK, CSUFC Assistant President and now President, in his official and individual capacities,

THE CSUFC OFFICE OF EQUAL OPPORTUNITY AND DIVERSITY (DOEO/OEOD/EODO), in its individual and official capacities,

DANA HIATT, Director of the DOEO, in her individual and official capacities,
ROSELYN CUTLER, Chief Investigator of the DOEO, in her individual and official capacities,

HUMAN RESOURCES DEPARTMENT (HRS), CSUFC, in its official capacity,
CAROL SHIREY, Director of the CSUFC - HRS, in her individual and official capacities,
MINDY NICHOLS, Employee of CSUFC Admissions Office and HRS, in her individual and official capacities,

DR. BLANCHE HUGHES, CSUFC VP of Student Affairs and Higher Education, in her individual and official capacities,

DR. JENNIFER MOLOCK, CSUFC Director of Black Student Services (BSS), in her individual and official capacities,

BLACK STUDENT SERVICES (BSS), CSUFC, in its official capacities,

MIKIKO KUMASAKA, Director of APASS, in her individual and official capacities,

JIM DOLAK, CSUFC Director of HDFS, in his individual and official capacities,

KAREN BRIGHAM, CSUFC HDFS Supervisor, in her individual and official capacities,

GLEN WELLS, CSUFC HDFS Administrator, in his individual and official capacities,

JIM LATEGAN, CSUFC HDFS Administrator, in his individual and official capacities,

KAREN BALL, CSUFC HDFS Cashier, in her individual and official capacities,

MS. KATE SLY, CSUFC HDFS Cashier and Employee, in her individual and official capacities,

CSUFC COLLEGE OF ADVANCED HUMAN SCIENCES (CAHS), in its official capacities,
JAMES LYALL, Director of the CAHS Academic Computing Center/Department, in his individual and official capacities,
DR. APRIL MASON, CSUFC Dean of the CAHS, in her individual and official capacities,
DR. JEAN LEHMANN, Interim Director fo the CSUFC School of Education (SOE), in her individual and official capacities, and
MS. JOHANNA BACA, Director of the CSUFC School of Education HRS and Accounting Offices, in her individual and official capacities,

Defendants.

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

Plaintiff has submitted a notice of mailing address, a Civil Cover Sheet, a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a document that appears to be a Title VII complaint. As part of the court's review pursuant to D.C.COLO.LCivR 8.1, 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. 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.

Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) — is not submitted
- (2) — is not on proper form (must use the court's current form)
- (3) — is missing original signature by Plaintiff
- (4) — is missing affidavit
- (5) — affidavit is incomplete

- (6) ___ affidavit is not notarized or is not properly notarized
- (7) ___ names in caption do not match names in caption of complaint, petition or application
- (8) ___ An original and a copy have not been received by the court.
Only an original has been received.
- (9) ___ other _____

Complaint or Petition:

- (10) ___ is not submitted
- (11) X is not on proper form (must use the court's current form)
- (12) ___ is missing an original signature by the Plaintiff
- (13) ___ is incomplete
- (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) ___ other _____

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

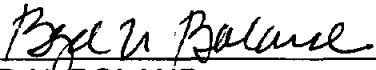
FURTHER ORDERED that the clerk of the court mail to the Plaintiff, together with a copy of this order, copies of the following form: Title VII Complaint. It is

FURTHER ORDERED that, if the Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the action will be

dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 17th day of December, 2009.

BY THE COURT:



BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

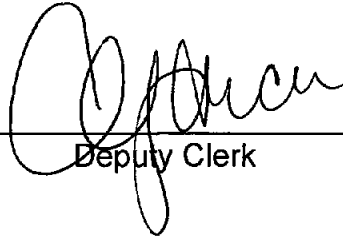
CERTIFICATE OF MAILING
09CV02970-BNB

Civil Action No.

Lester L. Washington
P.O. Box 494
Fort Collins, CO 80522-0494

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Title VII Complaint** to the above-named individuals on 12/21/09

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk