IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

UNITED STATES DISTRICT COURT DENVER, COLORADO

090003026

DEC 3 0 2009

REGORY C. LANGHAM

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.)

WILLIAM MAUNZ,

Plaintiff, Named as Defendant,

٧.

DENVER COUNTY COURT,

Defendant, Named as Plaintiff,

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

Plaintiff has submitted a letter to the court and a "Motion to Dismiss Pursuant to Colo. Revised Statutes, Dismissal Rule 48." He has failed either to pay the \$350.00 filing fee or to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted document is 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.

28 U.	.S.C. §	1915 Motion and Affidavit:
(1)	<u>X</u>	is not submitted
(2)		is missing affidavit
(3)	<u>X</u>	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.
(40)	V	athem. Matiem is management substitution for its material in advance.
(10)	<u>X</u>	other: Motion is necessary only if filing fee is not paid in advance.
Com	plaint,	Petition or Application:
Com		Petition or Application: is not submitted
Com (11)	plaint,	Petition or Application: is not submitted
Com (11) (12) (13)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner
Com (11) (12) (13) (14)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form)
Com (11) (12) (13) (14)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption
Com (11) (12) (13) (14)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos
Com (11) (12) (13) (14) (15)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption An original and a copy have not been received by the court. Only an original has been received.
Com (11) (12) (13) (14) (15)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption An original and a copy have not been received by the court. Only an
Com (11) (12) (13) (14) (15) (16) (17)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption An original and a copy have not been received by the court. Only an original has been received.
Com (11) (12) (13) (14) (15) (16)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption An original and a copy have not been received by the court. Only an original has been received. Sufficient copies to serve each defendant/respondent have not been
Com (11) (12) (13) (14) (15) (16) (17)	plaint, <u>X</u> —	Petition or Application: is not submitted is not on proper form (must use the court's current form) is missing an original signature by the prisoner is missing page nos uses et al. instead of listing all parties in caption An original and a copy have not been received by the court. Only an original has been received. Sufficient copies to serve each defendant/respondent have not been received by the court.

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, two copies of the following forms: Prisoner's Motion and

Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Prisoner 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 29 day of klecember, 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.

¹ 09CV03026

William Maunz Denver County Jail PO Box 1108 Denver, CO 80201

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 and Prisoner Complaint forms to the above-named individuals on /2/36/09

GREGORY C. LANGHAM, CLERK

Deputy Cleri