Bailot v. State of CO et al Doc. 2

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 26 2010

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10CV00174 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.)

KAT BAILOT,

Plaintiff,

v.

STATE OF CO DIV. OF EMP., and
RANDALL D. JOHANNES,

Defendants.

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

Plaintiff has submitted a Civil Cover Sheet, a "Notice of Lawsuit and Request for Waiver of Service of Summons," a Summons, a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a 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 she wishes to pursue her claims. Any papers which the Plaintiff files in response to this order must include the civil action number on this order.

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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) __ is not on proper form (must use the court's current form)
(12) __ is missing an original signature by the Plaintiff
(13) X is incomplete (pages 3-5 of Complaint form are missing)
(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) X other: "Claim(s) for Relief and Supporting Factual Allegations," not stated

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 forms: 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 complaint and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 26th day of January, 2010.

BY THE COURT:

Boyd N. Boland

BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 10CV00174

Kay Bailot
10695 Arapahoe Rd.
Lafayette, CO 80026

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Complaint** to the above-named individuals on 1/26/10

GREGORY C. LANGHAM, CLERK

By: _____ Deputy Clerk