

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

10 - CV - 00283

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 10 2010

GREGORY C. LANGHAM
CLERK

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.)

JOHN MATTHEW MEYER,

Plaintiff,

v.

L.W. WALKER (Individual and Official Capacity), Acting Registered Nurse,
DEBORAH SHOCK (Individual and Official Capacity), Acting Provider Medical Staff,
LOU ANNE BERROA (Individual and Official Capacity), Acting Provider Medical Staff,
DIANE (Individual and Official Capacity), Acting Med-Line Nurse,
DEBRA A. ANSHUTZ (Individual and Official Capacity), Acting Nurse,
MR. SINGH (Individual and Official Capacity), Acting Medical Doctor,
R. CHRIETTE (Individual and Official Capacity), Acting Registered Nurse,
BAELIN RUN (Individual and Official Capacity), Acting Medical Staff,
C. GOODWIN (Individual and Official Capacity), Acting Registered Nurse,
N. GREEN (Individual and Official Capacity), Acting L.P. Nurse,
MR. AASEN (Individual and Official Capacity), Acting Doctor,
MR. BARTON (Individual and Official Capacity), Acting Sergeant,
JOHN DOE (Individual and Official Capacity), Acting Escort and Bus Driver,
KAREN MITCHELL (Individual and Official Capacity), Acting Medical Provider,
MARY KAY CARTER (Individual and Official Capacity), Acting Medical Provider,
MR. HIEDENTHAL (Individual and Official Capacity), Acting Cellhouse #3 Lt.,
ANTHONY A. DECESARO (Individual and Official Capacity), Acting Cellhouse #3
Grievance Officer,
BETTY STOCKMAN (Individual and Official Capacity), Acting Registered Nurse Staff,
MR. FERGUSSON (Individual and Official Capacity), Acting Sergeant of Security,
MR. JONES (Individual and Official Capacity), Acting Security Corrections Officer,
MR. MCMILLAN (Individual and Official Capacity), Acting Sergeant,
MR. TRUJILLO (Individual and Official Capacity), Acting Sergeant,
MR. MEIGS (Individual and Official Capacity), Acting Receiving Sergeant,
MR. ADEMIC (Individual and Official Capacity), Acting Sergeant,
KEN TOPLISS (Individual and Official Capacity), Acting Lt. and Watch Commander,
MS. HALL (Individual and Official Capacity), Acting Segregation Sergeant,
MS. CRUZ (Individual and Official Capacity), Acting OCA Corrections Officer,
MR. DARROW (Individual and Official Capacity), Acting Medical Director,
MR. GRIMES (Individual and Official Capacity), Acting Cellhouse #3 Sergeant,
MR. CORTESE (Individual and Official Capacity), Acting Corrections Officer,

MR. EVANS (Individual and Official Capacity), Acting Sergeant,
MS. TRUJILLO (Individual and Official Capacity), Acting Cellhouse #7 Casemanager,
MS. BURT (Individual and Official Capacity), Acting Nurse,
MS. ROMERO (Individual and Official Capacity), Acting Physician's Assistant,
MS. PAULA FRANZ (Individual and Official Capacity), Acting Medical Supervisor for
Colorado D.O.C.,
MR. OWENS (Individual and Official Capacity), Acting Cellhouse Sergeant,
MR. TRAVIS WATERS (Individual and Official Capacity), Acting Mental Health
Clinician,
MR. DEWEESE (Individual and Official Capacity), Acting Corrections Officer,
MS JANE DOE (Individual and Official Capacity), Acting Medical Staff Nurse,
MR. JOHN DOE #2 (Individual and Official Capacity), Acting Corrections Officer,
MR. SHOEMAKER (Individual and Official Capacity), Acting Cellhouse Lt.,
MR. WILLIAMS (Individual and Official Capacity), Acting Cellhouse Lt.,
MS. J. RUSSELL (Individual and Official Capacity), Acting Colorado D.O.C Liaison,
KATHIE HOLST (Individual and Official Capacity), Acting Colorado D.O.C. Liaison,
JOAN SHOEMAKER (Individual and Official Capacity), Acting Director of Medical
Services, and
JOHN DOE #3 (Individual and Official Capacity), Acting Representative of Hanger
Corporation,

Defendants.

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

Plaintiff has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Prisoner Complaint. 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. 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) 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 (account statement submitted does not cover 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: _____.

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 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, 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 8th day of February, 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

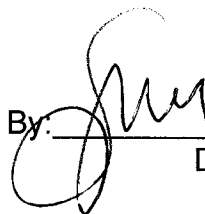
CERTIFICATE OF MAILING

Civil Action No. '10 - CV - 00283

John Matthew Meyer
Prisoner No. 142421
Colorado Territorial Corr. Facility
P.O. Box 1010
Cañon City, CO 81215-1010

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 2/10/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk