

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

MAR 2 - 2010

Civil Action No. 10 - CV - 00483

GREGORY C. LANGHAM  
CLERK

(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.)

CHRIS TILLOTSON,  
Plaintiff,

v.

SGT. T. J. McCEARY, Sheridan Police,  
Defendant.

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

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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 that 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 is not certified and does not cover the six-month period immediately preceding the filing of the complaint)
- (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
- (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
- (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

Accordingly, it is

ORDERED that the clerk of the court commence a civil action in this matter. It is

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

FURTHER ORDERED that, if 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 26<sup>th</sup> 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

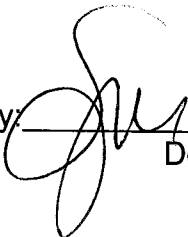
CERTIFICATE OF MAILING

Civil Action No. '10 - CV - 00483

Chris Tillotson  
Prisoner No. 98589  
1600 W. 24<sup>th</sup> Street  
Pueblo, CO 81003

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 3/2/10

GREGORY C. LANGHAM, CLERK

By  Deputy Clerk