

FILED
 UNITED STATES DISTRICT COURT
 DENVER, COLORADO

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF COLORADO**

APR 15 2010

Civil Action No. 10 - CV - 00851 BNB GREGORY C. LAI, 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.)

VINCENT E. LOGGINS,

Plaintiff,

v.

THE COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO, and
 THE DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Defendants.

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

Plaintiff has submitted a "Motion to Motion for Civil Damages for Financial, Infringments [sic] on Religious [sic] Believes [sic] and Denied Clergy Visit, Request of Medical Records, to Read Patient Chart, Infringment [sic] of U.S. Mail Freedom of the Press and Speech Through Ordered Level System(s) in Department of Institutions nad [sic] Illegal Sentence of At-Risk_Adult," a "Motion to Chief Judge, Request Motion of Dis-covery & 18-17-106(c)(d)(e) of 18-17-106 and 18-17-107," a copy of a letter addressed to "USDA: Pueblo Service Center - Agriculture [sic] Department," a "Request an Emergency Motion of Restate [sic] and to Immediate Cease of Harassment and Abuse of aka Matthew Hernandez of an At-Risk-Adult From an [sic] Public Officer," and a "Motion for Application for Compensation 24-4.1-105(b) and Awarding Compensation

24-4.1-108(1, a-f) and Request Hearing 24-4.1-106(3) and 24-4.1-107.5 Confidentiality of Materials dated March 2010- to April 2010 and Prior Pasted [sic] Months Used as Exhibit(s) [sic] and as to Support Findings Upon Requested Discovery.” 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 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
- (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: Motion is necessary only if \$350.00 filing fee is not paid in advance.

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 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 13th day of April, 2010.

BY THE COURT:



BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

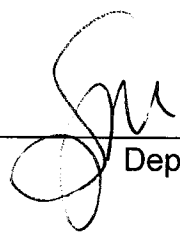
CERTIFICATE OF MAILING

Civil Action No. '10 - CV - 00851

Vincent E. Loggins
Prisoner No. 81868
CMHIP
1600 W. 24th St.
Pueblo, CO 81003

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 4/15/10

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk