

FILED
DISTRICT COURT
COLORADO

SEP 8 - 2010

GREGORY C. LANGHAM
CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10 - CV - 02190 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.)

MICHAEL DESTRY WILLIAMS,

Petitioner, also named as Grantor/Settlor [sic],

v.

UNITED STATES, d/b/a CORPORATION, or
STATE OF COLORADO, d/b/a CORPORATION,

Defendant, named as Fictitious Plaintiff.

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

Plaintiff has submitted an "Order to Settle Dispute" and a "Petition to Settle the Dispute With Facts and Law and Order for the Federal or State Comptroller to Settle the Alleged Debt." He has failed either to pay the \$350.00 filing fee or to file a 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 8.1, 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 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.

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: Motion is necessary only if \$350.00 filing fee is not paid in advance.

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) is incomplete
- (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) other: uses "or" instead of listing all parties in caption

Accordingly, it is

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

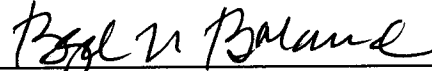
FURTHER ORDERED that the Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order.** Any papers which the Plaintiff files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to the Plaintiff, together with a copy of this order, copies of the following forms: Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and 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 petition and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 3^d day of September, 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 - 02190

Michael Destry Williams
c/o Doreen M. Walker
7250 Auburn Blvd #133
Citrus Heights, CA 95610

I hereby certify that I have mailed a copy of the **ORDER** and two copies of the **Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915** and **Complaint forms** to the above-named individuals on 9/8/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk