

FILED
 UNITED STATES DISTRICT COURT
 DENVER, COLORADO

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF COLORADO

SEP 16 2010

'10 - CV - 02239 - BNB

Civil Action No. _____

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.)

LUKE AMMON OF PREACHER, Sui Generis, Justice,
 LEONIDAS RALPH MECHAM, Administrative Office of U.S. Courts, and
 LEROY MICHAEL SCHWEITZER, Interpreter, Executioner, Major President, Justice,
 Colorado (Foreign State) ex. rel.,

Plaintiffs,

v.

J. GEORGE, D.H.O. Officer,
 G. RAMIREZ, D.H.O. Officer,
 G. BREAM,
 C. EVANS,
 M. WATKINS,
 L. KING,
 D.A. SMITH,
 C. JARBOE,
 B. HANSON,
 R. SUTTON,
 A. CLEMMER,
 D. FOSTER,
 A. FENLON,
 T. SUDLOW,
 D. SPROUL,
 K. FLUCK,
 LT. C. RIVERS,
 LT. D. CLARK,
 LT. S. JANSEN,
 LT. BERRY,
 MICHAEL K. NALLEY,
 BLAKE R. DAVIS, Warden,
 B. EISCHAN, LT., and
 S. SCARBROUGH, C/O,

Defendants.

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

Plaintiff Luke Ammon of Preacher has submitted a Prisoner Complaint. Although Mr. Preacher lists two other individuals as plaintiffs in the caption of the Prisoner Complaint, only Mr. Preacher has signed the Prisoner Complaint and it appears that he is the only proper plaintiff in this action. Mr. Preacher 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 document is deficient as described in this order. Notwithstanding the deficiencies, the clerk of the court will be directed to commence a civil action. Mr. Preacher will be directed to cure the following if he wishes to pursue his claims. Any papers that Mr. Preacher files in response to this order must include the civil action number on this order.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) xx is not submitted
- (2) ___ is missing affidavit
- (3) xx 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) xx 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 original signatures 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) xx 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 Mr. Preacher cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers that Mr. Preacher 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 Mr. Preacher, 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; Prisoner Complaint. It is

FURTHER ORDERED that, if Mr. Preacher fails to cure the designated deficiencies as directed **within thirty (30) days from the date of this order**, the complaint and the action will be dismissed without further notice.

DATED at Denver, Colorado, this 14th 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

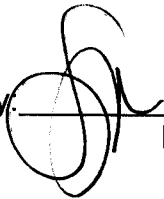
CERTIFICATE OF MAILING

Civil Action No. '10 - CV - 02239

Luke Preacher
Reg No. 10312-023
ADX - Florence
P.O. Box 8500
Florence, CO 81226-8500

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 9/16/10

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk