

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

Civil Action No 10-cv-02698-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.)

TODD ANTHONY AURIT,

Plaintiff,

v.

NANCY HOPF,
PAUL KING,
RICHARD CASHETTE,
CAROL CHAMBERS,
DARREN VAHLE,
CHERYL LAYNE,
RYAN BRACKLEY,
KATHY McGUIRE,
JOHN BECKER,
KYLE DUMLER, and
THOMAS J. CURRY,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

NOV 10 2010

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff has submitted a Civil Cover Sheet, a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, an "Admiralty Action' Complaint for Enforcement of Maritime Lien Pursuant to F.R.C.P. Rule 9(H) Supplemental Rule (C) 'In Rem Action'," a "Motion for Arrest and Execution of Process," an "Affidavit in Support of 'Admiralty Action' Complaint," a letter to the court from a third party, and Summonses. 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 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 form: 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 petition and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED November 10, 2010, at Denver, Colorado.

BY THE COURT:

s/ 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-02698-BNB

Todd Anthony Aurit
Prisoner No. 127586
Arkansas Valley Corr. Facility
PO Box 1000
Crowley, CO 81034

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Prisoner Complaint** to the above-named individuals on 11/10/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk