

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

FEB 24 2011

GREGORY C. LANGHAM  
CLERK

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

Civil Action No. 11-cv-00359-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.)**

SOLOMON BEN- TOV COHEN,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General of the United States,  
JANET NAPOLITANO, Secretary of the Department of Homeland Security, and  
JOHN P. LONGSHORE, Field Office Director USICE,

Respondents.

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**ORDER DIRECTING PETITIONER TO CURE DEFICIENCY**

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Petitioner has submitted a document titled "Petition For Great Writ of Habeas Corpus (Not 2241)." 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. Petitioner will be directed to cure the following if he wishes to pursue his claims. Any papers which the Petitioner files in response to this order must include the civil action number on this order.

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

- (1)   X   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)   X   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 \$5.00 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 Petitioner cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Petitioner 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 Petitioner, 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 in a Habeas Corpus Action and an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. It is

FURTHER ORDERED that, if the Petitioner 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 February 23, 2011, 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. 11-cv-00359-BNB

Solomon B. Cohen  
Reg No. A77 309 675  
Denver Contract Detention Facility  
3130 North Oakland Street  
Aurora, CO 80010

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 in a Habeas Corpus Action and of the Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. §2241** form to the above-named individuals on February 23, 2011.

GREGORY C. LANGHAM, CLERK

By: \_\_\_\_\_



Deputy Clerk