

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUL 27 2011

GREGORY C. LANGHAM  
CLERK

Civil Action No. 11-cv-01459-BNB

LORAL HUFFMAN,

Plaintiff,

v.

"BUREAU OF PRISONS UNNAMED AGENTS," and  
DIRECTOR HARVEY LAPPIN,

Defendants.

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ORDER

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Plaintiff, Loral Huffman, is a prisoner in the custody of the Federal Bureau of Prisons (BOP) who currently is incarcerated at the United States Penitentiary in Florence, Colorado. He submitted *pro se* a Complaint pursuant to 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), asserting violations of his constitutional rights. He requests injunctive and monetary relief.

On June 15, 2011, the Court entered an Order directing Mr. Huffman to cure a deficiency in his Motion for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (Dkt. #9). Specifically, he was ordered to submit a copy of his inmate trust fund account statement certified by an appropriate official at his penal institution. In a July 11, 2011 Minute Order, the Court granted Mr. Huffman an additional thirty days to submit a certified copy of his prisoner's trust fund account statement (Dkt. #31).

On July 19, 2011, Mr. Huffman filed a "Declaration" in which he states that he

has been unable to obtain a certified copy of his inmate account statement, despite three requests to prison officials, because of his present lawsuit. He further states that he has attempted to obtain outside funds to pay the filing fee, but prison officials have placed a “hold” on his prison account. On July 25, 2011, Mr. Huffman filed a Motion for Emergency Injunction in which he asserts, in part, that he is unable to obtain a signed inmate account statement to obey the court’s order or to obtain funds from his inmate account [Dkt. #35].

The Clerk of the Court will be directed to send a copy of the instant Order to the USP-Florence Warden. The Warden or his designee has previous notice of the Prisoner Complaint in this action as a result of an evidentiary hearing held on June 29, 2011. The Court seeks assistance from the Warden in verifying whether Mr. Huffman has followed the proper procedure to obtain a certified copy of his inmate account statement and that indeed he was denied a copy. If the request was denied, the Court also seeks assistance from the Warden in obtaining a certified copy of Mr. Huffman’s account statement for filing with the Court. In addition, the Court seeks assistance from the Warden in verifying whether Mr. Huffman is able to access funds in his prisoner account to pay the filing fee, should he choose to do so. Accordingly, it is

ORDERED that the Clerk of the Court send a copy of the instant Order to the USP-Florence Warden. It is

FURTHER ORDERED that **within thirty (30) days from the date of this Order**, the USP-Florence Warden assist the Court in: (1) determining the validity of the denial of Mr. Huffman’s request and in obtaining a certified copy of his account statement; and, (2) determining the validity of Mr. Huffman’s claim that he is unable to access

funds in his inmate account.

DATED July 27, 2011, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
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**CERTIFICATE OF MAILING**

Civil Action No. 11-cv-01459-BNB

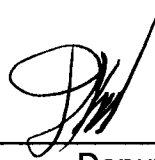
Loral Huffman  
Reg. No. 12723-018  
USP - Florence  
PO Box 7000  
Florence, CO 81226

Charles Daniels, Warden  
USP Florence - High  
PO Box 7500  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on July 27, 2011.

GREGORY C. LANGHAM, CLERK

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



Deputy Clerk