

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

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

**AUG 15 2011**

Civil Action No. 11-cv-02079-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.)**

**GREGORY C. LANGHAM**  
**CLERK**

MARQUISE D. HARRIS,

Plaintiff,

v.

THE CITY & COUNTY OF DENVER,  
MICHAEL B. HANCOCK, Mayor,  
JOHN HICKENLOOPER, Governor,  
GERALD WHITMAN, Chief,  
DAVE FISHER, Division Chief,  
CHARLES GARCIA, Safety Manager,  
SCOTT SNOW, Director (Victim/witness Assistance),  
MITCHELL R. MORRISSEY, District Attorney,  
TIM TWINNING, District Attorney,  
STEVE SIEGEL, District Attorney,  
RICHARD B. HARRIS, Detective,  
MIKE MILLS, Director Crime Stoppers, and  
DAVE BELOUE, Assistant Director (Crime Stoppers),

Defendants.

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**ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES**

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Plaintiff has submitted a "Petition for Writ of Mandamus" and 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. 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: Addresses must be provided for all Defendants in Section "Parties" on page 2 of the Complaint.

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 Plaintiff shall obtain the court-approved Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Complaint forms, along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). 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 action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED August 15, 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-02079-BNB

Marquise D Harris  
PO Box 25727  
Colorado Springs, CO 80936

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on August 15, 2011.

GREGORY C. LANGHAM, CLERK

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



Deputy Clerk