

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

Civil Action No. 11-cv-02712-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.)**

LEROY DAMASIO FRESQUEZ,

Plaintiff,

v.

SHERIFF TED MINKS,  
MICHAEL FISH, Detention Service Manager,  
JOHN DOE (CAPTAIN), Jan 1, 2010 Through Jan 31, 2011,  
JOHN DOE (CAPTAIN), March 5, 2010,  
LT. MARTINALLI,  
LT. G. GITTINS,  
LT. LUCAS,  
ADMINISTRATIVE SGT. RENFRO,  
SGT. TROY BETKA,  
SGT. SCOTT HAPP,  
SGT. HOLLOWAY,  
SGT. STEVEN WYGANT,  
OFFICER KENT FERRIS,  
OFFICER KATHRINE FEROE,  
DEPUTY SHERIFF CRUMBAKER,  
DEPUTY SHERIFF TODD WOOLEY,  
DEPUTY SHERIFF RYAN VIERS,  
DEPUTY SHERIFF DUSTIN DYELING,  
DEPUTY SHERIFF ANTONY KOTRIS,  
DEPUTY SHERIFF DONALD SPRINGFIELD,  
DEPUTY SHERIFF HOLLEY,  
DEPUTY SHERIFF JAMES GELEUDE,  
DEPUTY SHERIFF JASON RICHARDSON,  
DEPUTY SHERIFF REID PERRY,  
DEPUTY SHERIFF WILLIAM BOHM,  
DEPUTY SHERIFF ERIK BOUGHAM,  
DEPUTY SHERIFF HERBERT LONGSHORE,  
DEPUTY SHERIFF #1958 (Name Unknown),  
COUNSLER COLLINS,  
COUNSLER SUPERVISOR DEBRA ELUDO,  
COUNSLER TAHNEE,

CHANTEL CORKLE, Atty,  
KORI KIEL, Atty,  
DOUGLAS K. WILSON, Atty,  
DENNIS HALL, Jefferson County Judge,  
WRITER MOTT, Atty,  
LAURA WASSMUTH, Atty,  
CORRECTIONAL HEALTHCARE MANAGEMENT,  
CLAUDIA VAN BUREN/HSA,  
RAYMOND HERR, Responsible Physician,  
TRACY HAINES, LPN,  
KATHERINE BECERRA, RN,  
MARIA ROSTAD, Medical Records,  
JOHN DOE (Supervisor), March 7, 2010 to Jan 31 2011,  
JANE/JOHN DOE (Charge Nurse) Jan 2010 to January 31, 2011, and  
JOHN DOE, Jan 1, 2010 to January 31, 2011,

Defendants.

---

**ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY**

---

Plaintiff has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Prisoner Complaint. 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. 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) X is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing: (Account statement submitted is not certified by an appropriate official of Plaintiff's penal institution.)
- (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: Account statement 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 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, if the Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order,** the complaint and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED November 2, 2011, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge