

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

Civil Action No. 11-cv-03003-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.)

BRUCE PETERSON

Applicant,

v.

RAE TIMME, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCY

Applicant has submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 and a Prisoner's Motion and Affidavit for Leave to Proceed on Appeal Pursuant to 28 U.S.C. § 1915 and Fed. R. App. P. 24. 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. Applicant will be directed to cure the following if he wishes to pursue his claims. Any papers that Applicant 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
- (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) X is not on proper form (must use the Court's current form used in filing request to proceed pursuant to § 1915 in a § 2254 action in this Court)
- (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) X 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 Applicant cure the deficiency designated above **within thirty days from the date of this Order**. Any papers which Applicant files in response to this Order **must include the civil action number on this Order**. It is

FURTHER ORDERED that Applicant shall obtain the Court-approved Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that, if Applicant fails to cure the designated deficiency **within thirty days from the date of this Order**, the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED November 18, 2011, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland _____
United States Magistrate Judge