

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

Civil Action No. 12-cv-001419-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.)**

YOOBANG KIM,

Applicant,

v.

JAMES FALK, Warden of the Sterling Correctional Facility, and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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**ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES**

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Applicant, Yoobang Kim, is a prisoner in the custody of the Colorado Department of Corrections (DOC) and currently is incarcerated at the DOC correctional facility in Sterling, Colorado. Mr. Kim has filed an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254.

As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, the Court has determined deficiencies as described in this Order. Mr. Kim will be directed to cure the following if he wishes to pursue his claims. Any papers that Mr. Kim 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)  is missing certificate showing current balance in prison account (account statement submitted is not certified)
- (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: Applicant must either pay the \$5.00 filing fee or in the alternative submit a § 1915 motion and affidavit to proceed without payment of the fees along with a certified statement showing the current balance in his prison account.

**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 Mr. Kim cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers that Mr. Kim files in response to this Order must include the civil action number on this Order. It is

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

FURTHER ORDERED that if Mr. Kim fails to cure the designated deficiencies **within thirty days from the date of this Order** the action will be dismissed without further notice.

DATED June 1, 2012, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland  
United States Magistrate Judge