

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

Civil Action No. 12-cv-01596-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.)**

PATRICIA EVANS,

Appellant,

v.

THE BANK OF NEW YORK,

Appellee.

---

**ORDER DIRECTING APPELLANT TO CURE DEFICIENCIES**

---

Appellant, Patricia Evans, has submitted a Notice of Appeal from the United States Bankruptcy Court and a "Request for Waiver of Fees". 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. Appellant will be directed to cure the following if she wishes to pursue her claims. Any papers that the Appellant 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)   X   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)   X   other: Motion is only necessary if \$298.00 filing fee is not paid in advance.

**Complaint or Petition:**

- (9)     \_\_\_     is not submitted
- (10)    \_\_\_     is not on proper form (must use the court's current form)
- (11)    \_\_\_     is missing an original signature by the Plaintiff
- (12)    \_\_\_     is incomplete
- (13)    \_\_\_     uses et al. instead of listing all parties in caption
- (14)    \_\_\_     names in caption do not match names in text
- (15)    \_\_\_     addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (16)    \_\_\_     other: \_\_\_\_\_

Accordingly, it is

ORDERED that the Appellant cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Appellant files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the Appellant shall obtain the court-approved Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). It is

FURTHER ORDERED that, if the Appellant fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the notice of appeal and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED June 20, 2012, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge