

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

Civil Action No. 12-cv-02224-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.)

WILLIAM LEE LORNES the III, named as
MR. COOK, also known as
WILLIAM LEE LORNES,

Applicant,

v.

MR. CARPENDER,

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

Applicant, William Lee Lornes the III, named as Mr. Cook, also known as William Lee Lornes, currently is incarcerated at the Denver Van Cise-Simonet Detention Center. The caption of this order has been corrected to include his alias. Mr. Lornes submitted to the Court *pro se* on August 17, 2012, in a legal envelope a number of loose papers, which the Court has made its best efforts to organize on Mr. Lornes' behalf. The papers have been divided into four lawsuits, one of which is the instant action. In this action, Mr. Lornes has submitted a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (ECF No. 1), a certificate of the warden as to the amount of money on deposit in his inmate trust fund account (ECF No. 3), and various exhibits (ECF No. 4).

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 noted above in the caption of 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) 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: A Mr. Cook is named as Applicant instead of Mr. Lornes.

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: Applicant must submit either an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 or an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, depending upon the claims he intends to assert, but he should not submit both § 2254 and § 2241 applications.

Accordingly, it is

ORDERED that the clerk of the Court add William Lee Lornes, the alias for William Lee Lornes the III, to the docketing records for this case. It is

FURTHER ORDERED that Applicant cure the deficiencies designated above **within thirty days from the date of this order.** Any papers that 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 form for filing either an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 or an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (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 deficiencies **within thirty days from the date of this order**, the action will be dismissed without further notice.

DATED August 22, 2012, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge