

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

Civil Action No. 12-cv-02520-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.)**

JAMES GERMALIC, Independent Candidate for President,

Plaintiff,

v.

SCOTT GESSLER, Secretary of State of Colorado,

Defendant.

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**ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY**

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Plaintiff, James Germalic, currently resides in Parma, Ohio. Mr. Germalic has submitted a document titled, "Request for Injunction," and a statement of indigency.

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. Mr. Germalic will be directed to cure the following if he wishes to pursue his claims. Any papers that Mr. Germalic 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 (must use Court-approved form)
- (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 current Court-approved 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) X other: Plaintiff either must pay the \$350.00 filing fee in full or submit a request to proceed in forma pauperis

**Complaint, Petition or Application:**

- (11) X is not submitted (must use Court-Approved form)  
(12) \_\_\_ is not on proper form (must use current Court-approved 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 Mr. Germalic cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers that Mr. Germalic files in response to this Order must include the civil action number on this Order. It is

FURTHER ORDERED that Mr. Germalic shall obtain the Court-approved form used in filing a Complaint and a 28 U.S.C. § 1915 Motion and Affidavit, along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). It is

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

DATED September 25, 2012, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland  
United States Magistrate Judge