

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-03340-BNB

ROBIN E. DILGER,

Plaintiff,

v.

STATE OF COLORADO,  
OFFICE OF THE ATTORNEY GENERAL,  
COLORADO DEPARTMENT OF CORRECTIONS,  
WARDEN DAVID ZUPAN,  
CAPTAIN SEAN PRUITT,  
CASE MANAGER II LARRY WINEGARDNER,  
CASE MANAGER GLEN SCHAFFER, and  
CASE MANAGER III KRISTI MOORE,

Defendants.

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SECOND ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

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Plaintiff, Robin E. Dilger, initiated this action by filing *pro se* a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. On January 8, 2013, the court entered an order directing Ms. Dilger to cure a deficiency if she wishes to pursue her claims in this action. More specifically, the court advised Ms. Dilger that the copy of her inmate trust fund account statement she submitted in support of the 28 U.S.C. § 1915 motion was not certified by a prison official as required pursuant to § 1915(a)(2).

Ms. Dilger has not submitted a certified copy of her inmate trust fund account statement. However, on February 11, 2013, Ms. Dilger notified the court that she has been released from prison. Because she no longer is a prisoner, Ms. Dilger must file a

new motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 using the court-approved nonprisoner form if she still wishes to proceed *in forma pauperis* in this action. Alternatively, Ms. Dilger may elect to pay the \$350.00 filing fee. Accordingly, it is

ORDERED that Ms. Dilger cure the deficiency specified in this order **within thirty (30) days from the date of this order**. It is

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

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

DATED February 12, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge