

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

Civil Action No. 13-cv-00007-BNB

STEVEN R. WILSON,

Applicant,

v.

THE PEOPLE OF THE STATE OF COLORADO, and
TOM CLEMENTS, Executive Director CDOC,

Respondents.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

Applicant has submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 and paid the \$5.00 filing fee. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted habeas corpus application is deficient as described in this order. Applicant will be directed to cure the following if he wishes to pursue any claims in this court in this action. Any papers that Applicant 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
- (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) ___ other:

Complaint, Petition or Application:

- (10) is not submitted
- (11) is not on proper form (must use the court's current 28 U.S.C. § 2254 form, not the 28 U.S.C. § 2241 form)
- (12) is missing an original signature by the prisoner
- (13) is missing page nos. ____
- (14) uses et al. instead of listing all parties in caption
- (15) names in caption do not match names in text
- (16) addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (17) other: The only proper Respondent in a habeas corpus action is Applicant's current warden, superintendent, jailer or other custodian. The People of the State of Colorado and Colorado Department of Corrections' Executive Director are not proper parties to this action.

Accordingly, it is

ORDERED that Applicant cure the deficiencies designated above **within thirty (30) 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 Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (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 (30) days from the date of this order**, the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED January 23, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge