

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00197-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.)**

MARLON WASHINGTON,

Plaintiff,

v.

COZZA RHODES, Warden,  
DERRICK JONES, and  
M. CUNDIFF,

Defendants.

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**ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES**

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Plaintiff has submitted a Motion to Proceed without Prepayment of Fees and Declaration, a Civil Rights Complaint, and a Motion for Appointment of Counsel. 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. Plaintiff will be directed to cure the following if she wishes to pursue her claims. Any papers that the Plaintiff 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) xx is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing (account statement submitted is not certified).
- (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) xx 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) xx other: Account statement is necessary only if \$350.00 filing fee is not paid in advance.

**Complaint, Petition or Application:**

- (10) \_\_\_ is not submitted
- (11) xx is not on proper form (must use the court's current 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: \_\_\_\_\_

Accordingly, it is

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

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

DATED January 29, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge