

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

Civil Action No. 13-cv-00209-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.)

VIRGIL CROFFER,

Plaintiff,

v.

MARK TSCHETTER, in his individual capacity, Tschetter, Hamrick and Sulzer, P.C.,
SHARON S. GREEN, in her individual capacity, Agent for Owner, Continental Divide
Management Corporation, and
BEN DAVIS, in his individual capacity, Residential Manager, Continental Divide
Management Corporation,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Virgil Croffer, currently is incarcerated at the Denver Van Cise-Simonet Detention Center. He has submitted a Prisoner Complaint (ECF No. 1) and two letters (ECF Nos. 3 and 4). 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. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers that 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) X is not submitted (must use the court's current form revised 10/01/12 with Authorization and Certificate of Prison Official)
- (2) is missing affidavit
- (3) X is missing certified copy of prisoner's trust fund statement for the 6-month

- (4) 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
- (8) names in caption do not match names in caption of complaint, petition or habeas application
- (9) other: § 1915 motion and affidavit only is necessary if \$350.00 filing fee is not paid in full in advance.

Complaint or Petition:

- (4) is not submitted
- (5) is not on proper form (must use all pages of the court's current form)
- (6) is missing an original signature by the plaintiff/petitioner/applicant
- (7) is incomplete
- (8) uses et al. instead of listing all parties in caption
- (9) names in caption do not match names in text
- (15) complete addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (16) other:

Accordingly, it is

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

FURTHER ORDERED that Plaintiff shall obtain the court-approved forms for filing a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Prisoner Complaint (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 Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the Prisoner Complaint and the

action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED February 4, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge