

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

Civil Action No. 13-cv-00299-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.)

MICHAEL STEPHEN DEWEY,

Plaintiff,

v.

SGT. JOHNSON (first name unknown, C.D.O.C. Correctional Officer acting under the color of state law at Sterling Correctional Facility, working as Correctional Officer in the S.C.F. unit #32 on 02/05/2011),

LT. BERNADETTE SCOTT (C.D.O.C. ADA Inmate Coordinator acting under the color of state law at S.C.F. tasked with providing A.D.A. accommodations to Mr. Dewey from 01/26/2011 - 11/21/2011),

WARDEN KEVIN MILYARD (C.D.O.C. Warden for S.C.F. acting under the color of state law while Mr. Dewey was under his care and authority as a prison Warden from 01/26/2011 - 11/21/2011),

DEPUTY WILLIAM EUROPE (Adams County Deputy Sheriff, acting under the color of state law working in the A.C.D.F. on 04/14/2010),

JOHN DOE (Adams County Deputy Sheriff acting under the color of state law, transported Mr. Dewey from the Platte Valley Medical Center to the A.C.D.F. on 06/22/2010),

JOHN DOE Adams County Deputy Sheriff acting under the color of state law, transported Mr. Dewey from the Platte Valley Medical Center to the A.C.D.F. on 06/22/2010),

DR. IVOR GARLICK (Primary Care Physician at the A.C.D.F. acting under the color of state law as the primary care physician for Mr. Dewey from 04/13/2010 - 09/15/2010),

JOHN OR JANE DOE (Health Care Administrator at A.C.D.F. acting under the color of state law tasked with administering Mr. Dewey medical attention as needed from 04/13/2010 - 09/15/2010),

JOHN OR JANE DOE (Executive in charge of A.C.D.F. acting under the color of state law in charge of all disciplinary activities within the A.C.D.F. from 04/13/2010 - 09/15/2010), and

ADAMS COUNTY DETENTION FACILITY, Jointly and Severally,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff has submitted Plaintiff's Complaint (ECF No. 1), a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 3), a Motion to File Without Payment of Filing Fee (ECF No. 4), and an unsigned document titled "42 U.S.C. §1983 – Civil Action for Deprivation of Civil Rights" (ECF No. 5). 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.

Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) is not submitted
- (2) is not on proper form (must use the court's current nonprisoner form)
- (3) is missing original signature by plaintiff/petitioner/applicant
- (4) is missing affidavit
- (5) affidavit is incomplete
- (6) affidavit is not notarized or is not properly notarized
- (7) names in caption do not match names in caption of complaint, petition or application
- (8) other _____

Complaint or Petition:

- (9) is not submitted
- (10) is not on proper form (must use the court's current form)
- (11) is missing an original signature by the plaintiff/petitioner/applicant
- (12) is incomplete
- (13) uses et al. instead of listing all parties in caption
- (14) names in caption do not match names in text
- (15) 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 deficiency 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 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. It is

FURTHER ORDERED that, if Plaintiff fails to cure the designated deficiency **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 February 6, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge