

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

Civil Action No. 13-cv-00302-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.)

VERNON R. KITTLES,

Plaintiff,

v.

[NO NAMED DEFENDANTS],

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Vernon R. Kittles, is a prisoner in the custody of the Federal Bureau of Prisons who currently is incarcerated at the United States Penitentiary, Administrative Maximum, in Florence, Colorado. Mr. Kittles has submitted a document titled "Stating The Claim of Facts" (ECF No. 1), which appears to be a Prisoner Complaint pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and 28 U.S.C. § 1331. As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, the Court has determined that the submitted document is deficient as described in this order. Mr. Kittles will be directed to cure the following if he wishes to pursue his claims. Any papers that Mr. Kittles 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 (must use the court's current form revised 10/01/12 with Authorization and Certificate of Prison Official)
- (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 certified statement 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) An original and a copy have not been received by the court. Only an original has been received.
- (10) other: Plaintiff must pay the \$350.00 filing fee if he does not request to proceed pursuant to 28 U.S.C. § 1915.

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper form (must use the court's current form)
- (13) is missing an original signature by the prisoner
- (14) is missing page nos. ___
- (15) uses et al. instead of listing all parties in caption
- (16) An original and a copy have not been received by the court. Only an original has been received.
- (17) Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18) names in caption do not match names in text
- (19) other:

Accordingly, it is

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

FURTHER ORDERED that Mr. Kittles shall obtain the Court-approved forms used in filing a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, if necessary, and a 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 Mr. Kittles fails to cure the designated deficiencies **within thirty days from the date of this order**, the action will be dismissed without further notice.

DATED February 6, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland _____
United States Magistrate Judge