

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00388-BNB

ADRIAN VALDEZ,

Plaintiff,

v.

CHRISTIAN STOB, Denver Health Medical Center,
CAT METZGER, Denver Health Medical Center, and
DENVER SHERIFF'S DEPARTMENT MEDICAL DEPARTMENT, et al.,

Defendants.

SECOND ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Adrian Valdez, initiated this action by filing *pro se* a "Complaint Pursuant to 42 U.S.C. 1983" and an uncertified copy of his inmate trust fund account statement for the period from January 11, 2013, through February 11, 2013. On February 14, 2013, the court entered an order directing Mr. Valdez to cure certain deficiencies if he wishes to pursue his claims in this action. More specifically, the court directed Mr. Valdez to file on the proper form a Prisoner Complaint and either to pay the \$350.00 filing fee or to file a properly supported Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915.

On February 26, 2013, the copy of the court's February 14 order that was mailed to Mr. Valdez was returned to the court undelivered. On March 8, 2013, Mr. Valdez filed a notice of change of address that indicates he has been released from prison.

Mr. Valdez still must cure the deficiencies in this action by filing on the proper

form an amended pleading and by either paying the \$350.00 filing fee or filing a properly supported motion seeking leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. However, because he no longer is a prisoner, Mr. Valdez must use the court-approved nonprisoner forms to cure the deficiencies. Accordingly, it is

ORDERED that Mr. Valdez cure the deficiencies specified in this order **within thirty (30) days from the date of this order**. It is

FURTHER ORDERED that Mr. Valdez shall obtain the court-approved Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Complaint forms, along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that, if Mr. Valdez 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 March 11, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge