

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

Civil Action No. 13-cv-00600-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.)

DAWANE ARTHUR MALLETT, and
LAMARCUS LEE HILLARD,

Plaintiffs,

v.

ERIC HOLDER, JR., United States Attorney General, and
DAVID. B. BERKEBILE, Warden,

Defendants.

ORDER DIRECTING PLAINTIFFS TO CURE DEFICIENCIES

Plaintiffs are inmates at the United States Penitentiary, Administrative Maximum, at Florence, Colorado. Plaintiffs have submitted to the court a complaint (ECF No. 1) in which they appear to assert constitutional claims regarding the conditions of their confinement. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the complaint is deficient as described in this order. Plaintiffs will be directed to cure the following if they wish to pursue their claims. Any papers that Plaintiffs file 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 (each Plaintiff must submit an individual motion)
- (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 certificate showing current balance in prison account
- (5) is missing required financial information

- (6) is missing authorization to calculate and disburse filing fee payments
- (7) is missing an original signature by the prisoner
- (8) is not on proper form (must use the court's current form)
- (9) names in caption do not match names in caption of complaint, petition or habeas application
- (10) other: motions and supporting documents are necessary only if \$350.00 filing fee is not paid in advance.

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper 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) names in caption do not match names in text
- (17) addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (18) other: _____.

Accordingly, it is

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

FURTHER ORDERED that Plaintiffs shall obtain the court-approved Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Prisoner Complaint forms (with the assistance of a case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that any Plaintiff who fails to cure the designated deficiencies **within thirty (30) days from the date of this order** will be dismissed as a party to this action without further notice. The dismissal shall be without prejudice.

DATED March 8, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge