

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

Civil Action No. 13-cv-00680-BNB

PAUL MONTOUR,

Plaintiff,

v.

RICKY LIEHL, Jefferson County Sheriff's Department, and  
CINDY KERRIGAN, Aromark Foods Supervisor c/o J.C.S.D.

Defendants.

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**ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES**

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Plaintiff, Paul Montour, has submitted *pro se* a Complaint (ECF No. 1) and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 3). 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 form)
- (3)  is missing original signature by Plaintiffs
- (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: Motion is necessary only if \$350.00 filing fee is not paid in advance.

**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 Plaintiffs
- (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)  street 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 and complete the court-approved forms for filing a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and an amended Prisoner Complaint, along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov), and used those forms in curing the designated deficiencies. It is

FURTHER ORDERED that, if Plaintiff fails to cure the designated deficiencies **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 April 4, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge