

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

Civil Action No. 13-cv-01054-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.)

LYNDA S. HICKEY,

Plaintiff,

v.

PATRICK R. DONAHOE, Postmaster General,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff has submitted a Petition to Commence Civil Action that is signed by James Dean Hickey, who describes himself as Plaintiff's representative and counsel pro se. As part of the court's review pursuant to D.C.COLO.LCivR 8.1, the court has determined that the document is deficient as described in this order. First, because there is no indication that Mr. Hickey is a licensed attorney, he may not represent Plaintiff in this action. See 28 U.S.C. § 1654.

Plaintiff will be directed to cure the following if she wishes to pursue her 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) xx 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) xx other: motion is necessary only if \$350.00 filing fee is not paid.

Complaint or Petition:

- (9) xx is not submitted
- (10) ___ is not on proper form (must use the court's current form)
- (11) ___ is missing an original signature by plaintiff
- (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 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 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 Plaintiff 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 April 24, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge