

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01454-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.)

TIMOTHY WILLIAM SMITH,

Plaintiff,

v.

ARMSTRONG, Officer, #07054,
RIVERA, Officer, # 07070,
UNKNOWN OFFICER,
QUALITY INN DENVER, and
ZOBEL, Public Defendant,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Timothy William Smith, currently is detained at the Denver County Jail. Mr. Smith, acting *pro se*, initiated this action by filing a Prisoner Complaint and a "Motion for Deposition of Forma Pauperis." As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, 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 in this Court in this action. Any papers that Plaintiff files in response to this Order must include the civil action number noted above in the caption of this Order.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted on the correct form (must use court-approved form)
- (2) is missing affidavit
- (3) is missing a 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 authorization to calculate and disburse filing fee payments
 - (6) ___ is missing an original signature by the prisoner
 - (7) ___ other:

Complaint, Petition or Application:

- (8) ___ is not submitted
- (9) ___ is not on proper form (must use the Court's current form)
- (10) ___ is missing an original signature by the prisoner
- (11) ___ is missing page nos. ___
- (12) ___ uses et al. instead of listing all parties in caption
- (13) ___ names in caption do not match names in text
- (14) ___ other:

Accordingly, it is

ORDERED that Plaintiff cure the deficiencies designated above **within thirty 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 Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form (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 Plaintiff fails to cure the designated deficiencies **within thirty days from the date of this Order** the Complaint and the action will be dismissed without further notice.

DATED: June 6, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge