

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

Civil Action No. 13-cv-01694-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.)

LAVONA M. ALDEN,

Plaintiff,

v.

[NO NAMED DEFENDANTS],

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Lavona M. Alden, currently resides in Pueblo, Colorado. Plaintiff has submitted copies of correspondence between herself and the Department of Veterans Affairs regarding “Agent Orange” retroactive pay. One of the letters from the Department of Veterans Affairs states that Plaintiff should direct her questions regarding the retroactive pay to the United States District Court located where she lives. Contrary to the direction of the Department of Veterans Affairs, this Court is not in a position to respond to retroactive pay questions. The Court further notes that an attached piece of undated correspondence, directed to either Plaintiff or her husband, from the Agent Orange Veteran Payment Program indicates that appeals of disability payments were to be directed to W. Bernard, Special Master for Appeals at the United States District Court for the Eastern District of New York. This Court, therefore, would not have jurisdiction to determine the merits of any appeal challenging a disability payment for Plaintiff’s husband under the Agent Orange Veteran Payment Program.

However, if Plaintiff still intends to file an action in this Court, pursuant to D.C.COLO.LCivR 8.1, the submitted documents are deficient as described in this Order. 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) is not submitted
- (2) is not on proper form (must use the Court's current form)
- (3) is missing original signature by Plaintiff
- (4) is missing affidavit
- (5) affidavit is incomplete
- (6) affidavit is not properly notarized
- (7) names in caption do not match names in caption of complaint, petition or application
- (8) other: In the alternative Plaintiff may elect to pay the \$400 filing fee

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 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 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 forms used in filing a Complaint and a 28 U.S.C. § 1915 Motion and Affidavit, 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 action will be dismissed without further notice.

DATED June 27, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge