

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01793-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.)

MICHAEL BACOTE,

Applicant,

v.

DAVID BERKEBILE,

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCY

Applicant, Michael Bacote, is a prisoner in the custody of the Federal Bureau of Prisons who currently is incarcerated at the United States Penitentiary in Florence, Colorado. Acting *pro se*, Applicant submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. 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. Applicant will be directed to cure the following if he wishes to pursue any claims in this Court in this action. Any papers that Applicant files in response to this Order must include the civil action number on the Order.

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

- (1) ___ is not submitted
- (2) ___ is missing affidavit
- (3) ___ is missing certified copy of prisoner's trust fund statement for the 6-month

- (4) period immediately preceding this filing certificate showing balance in prison account is not current
- (5) is missing required financial information
- (6) is missing an original signature by the prisoner
- (7) is not on proper form (must use the court's current form)
- (8) names in caption do not match names in caption of complaint, petition or habeas application
- (9) other:

Complaint, Petition or Application:

- (10) is not submitted
- (11) is not on proper form
- (12) is missing an original signature by the prisoner
- (13) is missing page nos. ____
- (14) uses et al. instead of listing all parties in caption
- (15) names in caption do not match names in text
- (16) addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (17) other:

Accordingly, it is

ORDERED that Applicant cure the deficiency designated above **within thirty days from the date of this Order**. Any papers that Applicant files in response to this Order must include the civil action number on the Order. It is

FURTHER ORDERED that, if Applicant fails to cure the designated deficiency **within thirty days from the date of this Order**, the action will be dismissed without further notice.

DATED July 9, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge