

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01952-BNB

MICHAEL JIRON,

Plaintiff,

v.

MS. ZERBI, Attorney,
MARTHA JIRON,
MARY JIRON,
ARMANDO JIRON,
GILBER JIRON,
MOISES JIRON, and
BECKY JIRON,

Defendants.

SECOND ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff, Michael Jiron, initiated this action by filing *pro se* a letter to the court in which he stated that he intends to file a civil suit in federal court based on violations of his civil rights. On July 23, 2013, the court entered an order directing Mr. Jiron to cure certain deficiencies if he wished to pursue his claims in this action. More specifically, the court ordered Mr. Jiron to file a Complaint and either to pay the administrative and filing fees necessary to commence a civil action or to file a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. On August 27, 2013, Mr. Jiron filed a number of documents that include a Complaint and part of a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. Mr. Jiron has failed to cure all of the deficiencies because the Motion and Affidavit for Leave to Proceed Pursuant to 28

U.S.C. § 1915 is missing the signature page.

Pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, “[e]very pleading, written motion, and other paper must be signed” and “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” Fed. R. Civ. P. 11(a). Mr. Jiron will be ordered to file a complete and signed Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 if he wishes to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 in this action. Alternatively, Mr. Jiron may opt to pay administrative and filing fees totaling \$400.00. Accordingly, it is

ORDERED that Mr. Jiron cure the deficiency in this action by filing **within thirty (30) days from the date of this order** a complete and signed Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. It is

FURTHER ORDERED that if Mr. Jiron fails to cure the deficiency within the time allowed, the action will be dismissed without further notice.

DATED August 28, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge