

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-03108-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.)

LARRY W. MARQUARDT,

Plaintiff,

v.

JOE PELLE, Sheriff,
BOULDER COUNTY COMMISSIONERS,
ARAMARK CORPORATION,
ARAMARK DESIGNATED DIETICIAN FOR BOULDER COUNTY JAIL,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Larry W. Marquardt, initiated this action on November 14, 2013, by submitting a Prisoner Complaint asserting deprivations of his constitutional rights pursuant to 28 U.S.C. § 1343 and 42 U.S.C. § 1983. As part of the Court's review pursuant to D.C.COLO.LCivR 8.2, the Court has determined that the documents are deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue any claims in this Court in this action. Any papers that Plaintiff files in response to this Order must include the civil action number on this Order.

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

- (1) X is not submitted
- (2) is missing affidavit
- (3) X is missing **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 required financial information
- (6) is missing authorization to calculate and disburse filing fee payments
- (7) is missing an original signature by the prisoner

- (8) ___ is not on proper form
- (9) ___ names in caption do not match names in caption of complaint, petition or habeas application
- (10) ___ other: Plaintiff may elect to pay the \$400 filing fee in full rather than submit the § 1915 motion.

Complaint, Petition or Application:

- (11) ___ is not submitted
- (12) ___ is not on proper form
- (13) ___ is missing an original signature by the prisoner
- (14) ___ is missing page nos. ___
- (15) ___ uses et al. instead of listing all parties in caption
- (16) ___ names in caption do not match names in text
- (17) ___ addresses must be provided for all defendants/respondents in “Section A. Parties” of complaint, petition or habeas application
- (18) ___ 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 form for filing a Prisoner’s Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (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 action will be dismissed without further notice.

DATED November 19, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge