

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

Civil Action No. 13-cv-03117-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.)**

NATHAN JERARD DUNLAP,

Plaintiff,

v.

RICK RAEMISCH, in his individual and official capacities as Executive Director of the Colorado Department of Corrections,  
MARK FLOWERS, in his individual and official capacities as Director of Prisons of the Colorado Department of Corrections,  
TONY CAROCHI, in his individual and official capacities as Director of Prisons of the Colorado Department of Corrections,  
LOU ARCHULETA, in his individual and official capacities as Director of Prisons of the Colorado Department of Corrections,  
KEVIN MILYARD, in his individual and official capacities as Deputy Director of Prisons of the Colorado Department of Corrections,  
LARRY REID, in his individual and official capacities as Deputy Director of the Prisons of the Colorado Department of Corrections,  
JAMES FALK, in his individual and official capacities as Warden of the Sterling Correctional Facility,  
DONNA SIMS, individually, and in her official capacity as Review Committee Member,  
J. CONE, whose true name is unknown, individually, and in his official capacity as Approving Housing Supervisor,  
JOHN CRUSSELL, individually, and in his official capacity as Review Committee Member,  
MICHELLE NYCZHALLIGAN, individually, and in her official capacity as Review Committee Member,  
DAVE SCHERBARTH, individually, and in his official capacity as Appointing Authority,  
JEFF PETERSON, individually, and in his official capacity as Review Committee Member,  
WINGERT, whose true name is unknown, individually, and in her official capacity as Review Committee Member,  
STURGEON, whose true name is unknown, individually, and in his/her official capacity as Review Committee Member, and  
RYAN LONG, individually, and in his official capacity as Review Committee Member,

Defendants.

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## ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

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Plaintiff, a state prisoner in Colorado, has submitted to the court a Prisoner Complaint (ECF No. 1), a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 3), and Plaintiff's Notice of Associated Cases (ECF No. 4). 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 his claims 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) \_\_\_ is not submitted
- (2) \_\_\_ is missing affidavit
- (3) xx is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing (account statement submitted is too old)
- (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 (must use the court's current form)
- (9) \_\_\_ names in caption do not match names in caption of complaint, petition or habeas application
- (10) \_\_\_ other: \_\_\_\_\_.

### **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 deficiency designated above **within thirty (30) 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, if Plaintiff fails to cure the designated deficiency **within thirty (30) days from the date of this order**, the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED November 18, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge