

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-03253-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.)

NEWTON JAMES CANTRELL, SR.,

Applicant,

v.

T.K. COZZA-RHODES, Warden,

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCY

Applicant, Newton James Cantrell, Sr., is in the custody of the Federal Bureau of Prisons and is incarcerated at the Federal Correctional Institution in Florence, Colorado. Applicant has submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, along with a letter to the Court stating that the \$5.00 filing fee will be filed shortly.

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 his claims. Any papers that Applicant 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) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing

- (4) ___ account statement does not include the current balance in Applicant's prison account and is not certified
- (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) ___ An original and a copy have not been received by the court. Only an original has been received.
- (10) X other: § 1915 motion is necessary only if \$5.00 filing fee is not paid in advance.

Complaint, Petition or Application:

- (11) ___ is not submitted
- (12) ___ is not on proper form (must use the Court's current 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) ___ An original and a copy have not been received by the court. Only an original has been received.
- (17) ___ Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18) ___ names in caption do not match names in text
- (19) ___ 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 this 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 December 2, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge