

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

Civil Action No. 13-cv-03309-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.)

MARTIN THOMAS WIRTH,

Plaintiff,

c

v.

THE STATE OF COLORADO,
JOHN HICKENLOOPER, In his Official Capacity as Governor of Colorado,
JOHN SUTHERS, In his Official Capacity as Attorney General of Colorado,
STEPHEN A. GROOME, In his Official Capacity as 11th District Court Judge,
NATIONSTAR, LLC,
LARRY CASTLE, In his Corporate and Individual Capacities, and
CASTLE STAWIARSKI, LLC,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Martin Thomas Wirth, currently resides in Bailey, Colorado. Plaintiff has submitted a Complaint and a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the Court's review pursuant to D.C.COLO.LCivR 8.1, the Court has determined that the submitted documents are deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers that Plaintiff files in response to this Order must include the civil action number on this Order.

Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) ___ is not submitted
- (2) ___ is not on proper form (must use the Court's current form)
- (3) ___ is missing original signature by Plaintiff
- (4) ___ is missing affidavit
- (5) ___ affidavit is incomplete
- (6) ___ affidavit is not properly notarized

- (7) names in caption do not match names in caption of complaint, petition or application
- (8) other: form must be notarized or certified pursuant to 28 U.S.C. § 1746.

Complaint or Petition:

- (9) is not submitted
- (10) is not on proper form (must use the court's current form)
- (11) is missing an original signature by the Plaintiff
- (12) is incomplete
- (13) uses et al. instead of listing all parties in caption
- (14) names in caption do not match names in text of Complaint
- (15) addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (16) 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 used in filing a 28 U.S.C. § 1915 motion and affidavit and a complaint, 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 December 10, 2013, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge