

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00285-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.)

JEREMY PINSON,

Plaintiff,

v.

A. BALSICK,
N. LEE,
G. SANDUSKY,
OFFICER EACKER,
OFFICER SCHMIDT,
W. SHORTIS,
DAVID BERKEBILE, and
OFFICER CERMAK,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Jeremy Pinson, is a prisoner in the custody of the Federal Bureau of Prisons who currently is incarcerated at ADX in Florence, Colorado. On January 30, 2014, Mr. Pinson, acting *pro se*, initiated this action by filing a Prisoner Complaint and a Prisoner's 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(b), the Court has determined that the submitted documents are deficient as described in this Order. Mr. Pinson will be directed to cure the following if he wishes to pursue his claims in this Court in this action. Any papers that Mr. Pinson files in response to this Order must include the civil action number noted above in the caption of this Order.

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

- (1) ☐ is not submitted
- (2) ☐ is missing affidavit
- (3) ☐ is not on proper form (Must use Court-approved form revised 10-1-12)
- (4) ☒ is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing (account statement is dated and certified December 11, 2013)
- (5) ☐ is missing certificate showing current balance in prison account
- (6) ☐ is missing authorization to calculate and disburse filing fee payments
- (7) ☐ is missing an original signature by the prisoner
- (8) ☐ other:

Complaint, Petition or Application:

- (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 prisoner
- (12) ☐ is missing page nos. ☐
- (13) ☐ uses et al. instead of listing all parties in caption
- (14) ☐ names in caption do not match names in text
- (15) ☒ other: Complaint is signed and dated December 24, 2013, but asserts claims that took place on January 11, 2014. Plaintiff must provide correct information on complaint

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 Prisoner Complaint form and Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form (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 Complaint and the action will be dismissed without further notice.

DATED: January 31, 2014, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge