

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00397-BNB

JAHEEM R. HILTS,

Plaintiff,

v.

MENTAL HEALTH PARTNERS, and
SHARON PAULEY,

Defendants.

SECOND ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff, Jaheem R. Hilts, initiated this action by filing *pro se* a Prisoner Complaint (ECF No. 1) and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 3). On February 13, 2014, the court entered an order directing Mr. Hilts to cure certain deficiencies if he wished to pursue his claims in this action. More specifically, the court ordered Mr. Hilts to use the court-approved nonprisoner forms because he is not a prisoner. See 28 U.S.C. § 1915(h). On March 17, 2014, Mr. Hilts filed a Complaint (ECF No. 7) and part of a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 8). Mr. Hilts has failed to cure all of the deficiencies because the Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 is missing the signature page.

Pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, “[e]very pleading, written motion, and other paper must be signed” and “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . .

party's attention." Fed. R. Civ. P. 11(a). Mr. Hilts will be ordered to file a complete and signed Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 if he wishes to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 in this action.

Alternatively, Mr. Hilts may opt to pay administrative and filing fees totaling \$400.00.

Accordingly, it is

ORDERED that Mr. Hilts cure the deficiency in this action by filing **within thirty (30) days from the date of this order** a complete and signed Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. It is

FURTHER ORDERED that if Mr. Hilts fails to cure the deficiency within the time allowed, the action will be dismissed without further notice.

DATED March 18, 2014, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge