

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

Civil Action No. 14-cv-01121-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.)

RICKY CHAVEZ, a.k.a. RICKY E. CHAVEZ,

Applicant,

v.

RICK RAEMISCH, Director of CDOC,
JOE THISTLEWOOD, Parole Officer Supervisor, CDOC, and
AMY HEBRARD, Parole OFFICER CDOC,

Respondents.

AMENDED ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

Pursuant to Applicant's Request for Clarification, the Court has entered the Amended Order as follows.

Applicant, Ricky Chavez,, a.k.a. Ricky Chavez, initiated this action by filing an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Action.

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.

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) ☒ the account statement showing the current balance in Applicant's prison account is not certified by an appropriate officer at the institution where Applicant is confined
- (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) ☒ other: The § 1915 Motion and Affidavit in part is not the Court-approved form used when filing § 2241 actions.

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: Inappropriate respondents are named

Accordingly, it is

ORDERED that Applicant cure the deficiencies 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 Applicant shall obtain the Court-approved form used in filing a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (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 Applicant fails to cure the designated deficiencies **within thirty days from the date of this Order** the action will be dismissed without further notice. It is

FURTHER ORDERED that Applicant's Request for Clarification, ECF No. 5, is ordered terminated as answered.

DATED April 29, 2014, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge