

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

Civil Action No. 14-cv-01442-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.)

JERRY LOUIS HUGHES,

Applicant,

v.

JOHN OLIVER, Warden, USP-Florence High,

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

Applicant, Jerry Louis Hughes, is a prisoner in the Federal Bureau of Prisons and currently is incarcerated at United States Penitentiary in Florence, Colorado. Applicant submitted a sixty-page Petition for Writ of Habeas Corpus on May 21, 2014. Applicant also submitted a Prisoner' Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. Applicant asserts that he is filing this action pursuant to 28 U.S.C. § 2241.

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) is missing certificate showing current balance in prison account
- (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 prisoner account statement is not current. The statement is dated April 16, 2014, and the pleading was submitted to the Court over a month later.

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 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 28 U.S.C. § 2241 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 subject to dismissal without further notice.

DATED May 27, 2014, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge