

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02409-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.)

CLIFFORD E. SCHUETT,

Plaintiffs,

v.

GOVERNOR, STATE OF COLORADO,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

On August 28, 2014, Plaintiff submitted a Prisoner Complaint (ECF No. 1) pursuant to 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 2). As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the Court has determined that the documents are deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue any claims in this Court in this action. Any papers that Plaintiff 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 **(if Plaintiff is unable to obtain a certified copy of his inmate account statement from prison officials, he must file a document with the Court detailing his specific efforts**

to comply with this Order and the specific actions of named individuals who refused to provide him with the account statement)

- (4) ___ is missing required financial information
- (5) ___ is missing authorization to calculate and disburse filing fee payments
- (6) ___ is missing an original signature by the prisoner
- (7) ___ is not on proper form
- (8) ___ names in caption do not match names in caption of complaint, petition or habeas application
- (9) X other: Plaintiff may in the alternative pay the \$350.00 filing fee in full in advance.

Complaint, Petition or Application:

- (11) ___ is not submitted
- (12) ___ is not on proper form
- (13) ___ is not signed
- (14) ___ is missing page nos. ___
- (15) ___ uses et al. instead of listing all parties in caption
- (16) ___ names in caption do not match names in text
- (17) ___ addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (18) X other: Complaint must be legible.

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 copies of the court-approved forms for filing a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form (revised 10/1/12) (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 action will be dismissed without further notice.

DATED September 2, 2014, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge