

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-02524-BNB

TRAVIS IRA HLADIK,

Plaintiff,

v.

DEPT. OF CORRECTIONS "CLASSIFICATIONS," and
EXECUTIVE DIRECTOR RICK RAEMISCH,

Defendants.

SECOND ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff, a Colorado state prisoner, initiated this action by filing *pro se* a "Notice of Intent to Sue" (ECF No. 1) alleging his classification is unconstitutional. On September 11, 2014, the court entered an order directing Plaintiff to cure certain deficiencies if he wishes to pursue any claims in this action. The court specifically directed Plaintiff to file a Prisoner Complaint and either to pay fees totaling \$400.00 or to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 along with a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of this action and an authorization to calculate and disburse filing fee payments.

On September 22, 2014, Plaintiff filed a Prisoner Complaint (ECF No. 4) and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 5). Plaintiff attached to the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 an authorization to calculate and disburse filing

fee payments and a certified copy of his inmate trust fund account statement. However, Plaintiff failed to cure all of the deficiencies because the inmate trust fund account statement he submitted is incomplete and does not include any transactions after July 9, 2014. (See ECF No. 5 at 5-6.) It appears that the second page of what should have been a three-page account statement is missing.

Plaintiff will be given one more opportunity to cure the remaining deficiency. In order to cure the remaining deficiency Plaintiff must submit a certified copy of his inmate trust fund account statement for the entire six-month period immediately preceding the filing of this action. Accordingly, it is

ORDERED that Plaintiff cure the remaining deficiency **within thirty (30) days from the date of this order.** It is

FURTHER ORDERED that, if Plaintiff fails to cure the remaining deficiency within the time allowed, the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED October 14, 2014, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge