

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

Civil Action No. 14-cv-02566-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.)

MICAH BLACKFEATHER,

Plaintiff,

v.

CHRISTY WHEELER,
JASON KORN,
DAVID KENNEDY,
JOHN LEWELLYING,
EMILIA NORIEGA,
KELLY ADAMS,
TYLER ADAMS, and
MIGUEL FLORES,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff, Micah Blackfeather, has filed *pro se* a Prisoner Complaint (ECF No. 1), a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (ECF No. 3), and a "Motion for Pro-Bono Representation for Plaintiff" (ECF No. 5). 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. Mr. Blackfeather will be directed to cure the following if he wishes to pursue any claims in this action. Any papers that Mr. Blackfeather 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 authorization to calculate and disburse filing fee payments
- (7) is missing an original signature by the prisoner
- (8) is not on proper form
- (9) names in caption do not match names in caption of complaint, petition or habeas application
- (10) other: _____.

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) 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) other: _____.

Mr. Blackfeather, together with Chris Jacobowski, also has submitted for filing in this action a "Motion to Dismiss Cases in Criminal Matter (Lower Court) Fruits of Unlawful Arrest Inadmissible, Lower Court Unresponsive, Initiate Cause of Action Bring Suite in Amount of 4,000,000.00" (ECF No. 4) and a "Motion for Federal Lawsuit Commenced in the Amount of \$4,000,000.00, Request Class Action, Pro-Bono Attorney, Release Plaintiffs From All Custody" (ECF No. 6). Those motions will be denied because Mr. Jacobowski is not listed as a party in the Prisoner Complaint and has not signed the Prisoner Complaint, and it does not appear that the claims asserted in the Prisoner Complaint relate in any way to the issues raised by Mr. Blackfeather and Mr. Jacobowski in the motions. Accordingly, it is

ORDERED that Plaintiff cure the deficiency designated above **within thirty (30) 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, if Plaintiff fails to cure the designated deficiency **within thirty (30) days from the date of this order**, the action will be dismissed without further notice. The dismissal shall be without prejudice. It is

FURTHER ORDERED that the "Motion for Pro-Bono Representation for Plaintiff" (ECF No. 5) is DENIED as premature. It is

FURTHER ORDERED that the "Motion to Dismiss Cases in Criminal Matter (Lower Court) Fruits of Unlawful Arrest Inadmissible, Lower Court Unresponsive, Initiate Cause of Action Bring Suite in Amount of 4,000,000.00" (ECF No. 4) and the "Motion for Federal Lawsuit Commenced in the Amount of \$4,000,000.00, Request Class Action, Pro-Bono Attorney, Release Plaintiffs From All Custody" (ECF No. 6) are DENIED. It is

FURTHER ORDERED that the clerk of the court mail a copy of this order to both Micah Blackfeather and Chris Jacobowski at the Colorado Mental Health Institute at Pueblo, Colorado.

DATED September 18, 2014, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge