

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

Civil Action No. 14-cv-02586-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.)

JOSHUA LAMONT SUTTON, and
ISHA ROBERTS,

Plaintiffs,

v.

ISHA ROBERTS,
DANIEL MARIANO,
PETER WIEDMEYER,
DEBRA TOTA,
DEBRAH ROMANO,
MASON KATE,
MARILYN GIFFORD,
GARY WYBERG,
BILL THIEBOUT,
ATELLE JONES, and
JEFF CHOSTNER,

Defendants.

ORDER DIRECTING PLAINTIFFS TO CURE DEFICIENCIES

On September 17, 2014, Plaintiffs submitted a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the Court's review pursuant to D.C.COLO.LCivR 8.1, the Court has determined that the documents are deficient as described in this Order. Plaintiffs will be directed to cure the following if they wish to pursue any claims in this Court in this action. Any papers that Plaintiffs file 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 (Each plaintiff must submit their **own** § 1915 Motion and Affidavit; Plaintiff Isha Roberts must file her own § 1915 motion)
- (2) is missing affidavit
- (3) Plaintiff Joshua Sutton's prisoner's trust fund statement does not cover the full **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
- (13) is missing an original signature by Plaintiff Isha Roberts
- (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:

Accordingly, it is

ORDERED that Plaintiffs cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers that Plaintiffs file in response to this Order must include the civil action number on this Order. It is

FURTHER ORDERED that Plaintiff Isha Roberts shall obtain a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form, and if incarcerated, with the assistance of her case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. A Court-approved form must be used

to cure this deficiency. It is

FURTHER ORDERED that both Plaintiffs shall sign and submit the Prisoner Complaint, which is found at www.cod.uscourts.gov. A Court-approved form must be used to cure this deficiency. It is

FURTHER ORDERED that, if Plaintiffs fail to cure the designated deficiencies **within thirty days from the date of this Order**, the action will be dismissed without further notice.

DATED September 18, 2014, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge