

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

Civil Action No. 14-cv-02894-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.)

NICK R. MEDINA,

Applicant,

v.

JEFFERSON COUNTY COURTS, COLO.,

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

Applicant, Nick R. Medina, is in the custody of the Colorado Department of Corrections and currently is incarcerated at the Sterling Correctional Facility in Sterling, Colorado. Applicant has submitted an Application for a Writ of Habeas Corpus 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.

Also, pursuant to 28 U.S.C. § 2243 an application for writ of habeas corpus is directed to the person who has custody of the detained person. Therefore, Applicant is

directed to submit a new completed § 2241 Application form and name as Respondent the custodian of the facility where he is detained.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted
- (2) is missing affidavit
- (3) is missing certified prisoner's trust fund statement showing Applicant's current balance
- (4) the submitted certified statement is not current
- (5) is missing required financial information
- (6) is missing an original signature by the prisoner
- (7) is not on proper form (must use a Court-approved 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:

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: Submit new Application form that names the correct respondent

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 forms used in filing a 28 U.S.C. § 1915 motion in a habeas corpus action and a § 2241 application (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 dismissed without further notice.

DATED October 24, 2014, at Denver, Colorado.

BY THE COURT:

s/Boyd N. Boland
United States Magistrate Judge