

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

Civil Action No. 14-cv-03291-GPG

(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.)

WYATT T. HANDY JR.,

Plaintiff,

v.

PATRICIA GUERRERO-DIAZ,
KELLY LEHMAN, and
S. BROWN,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff Wyatt T. Handy Jr. is in the custody of the Colorado Department of Corrections and currently is incarcerated at the Cheyenne Mountain Re-Entry Center in Colorado Springs, Colorado. Mr. Handy, acting *pro se*, initiated this action by filing a Prisoner Complaint that alleges a violation of his rights pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343. As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the Court has determined that the submitted document is deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers that Plaintiff files in response to this Order must include the civil action number noted above in the caption of this Order.

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

- (1) X is not submitted
- (2) is missing affidavit
- (3) X 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) X 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) X other: Plaintiff may in the alternative pay the \$400 filing fee in full in advance

Complaint, Petition or Application:

- (11) — is not submitted
- (12) — is not on proper 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) X other: Plaintiff has failed to list all previous cases in Section E. of the Complaint form

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 the Prisoner Complaint form and the 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 December 5, 2014, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge