

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

Civil Action No. 14-cv-03414-GPG

WILLIAM HOGAN,

Plaintiff,

v.

WELD COUNTY JAIL,
YOUNT,
FALONBURG,
BARIKATA,
PENNINGTON,
SHULMAN,
WEAGIS, and
ROSTEN,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff initiated this action by submitting a Prisoner Complaint (ECF No. 1) to the Court on December 18, 2104. On December 22, 2014, the Court reviewed the Complaint and found that it unclear whether Plaintiff was a prisoner or nonprisoner at the Colorado Mental Health Institute. The Court ordered Plaintiff to inform the Court in writing within fifteen days whether he is a prisoner or nonprisoner. In response to the minute order, Plaintiff submitted a letter (ECF No. 5) stating that he is a prisoner at the Colorado Mental Health Institute.

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. Plaintiff will be directed to cure the following if he wishes to pursue any claims in this

action.

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 (must use the court's current form)
- (9) names in caption do not match names in caption of complaint, petition or habeas application
- (10) other: motion and supporting documents are necessary only if fees totaling \$400.00 are not paid 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) other: _____.

Accordingly, it is

ORDERED that Plaintiff cure the deficiencies 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 Plaintiff shall obtain the court-approved Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Prisoner Complaint forms, 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 (30) days from the date of this order,** the action will be dismissed

without further notice. The dismissal shall be without prejudice.

DATED January 14, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge