

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

Civil Action No. 14-cv-03498-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.)

LAMAR DELRAY DAVIS,

Plaintiff,

v.

PUEBLO COUNTY SHERIFF JAIL,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff Lamar Delray Davis currently is detained at the Pueblo County Detention Center in Pueblo, Colorado. On December 30, 2014, Plaintiff initiated this action by filing *pro se* a Complaint and a 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(b), the Court has determined that the 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 Court in this action. Any papers that Plaintiff 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) ___ prisoner's trust fund statement does not cover the most immediate six months prior to Plaintiff filing this action
- (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) X is not on current Court-approved form (Plaintiff is detained and must use prisoner motion and affidavit to proceed pursuant to 28 U.S.C. § 1915.)
- (9) ___ names in caption do not match names in caption of complaint, petition or

- habeas application
(10) other: In the alternative, Plaintiff may pay the \$400 filing fee in full.

Complaint, Petition or Application:

- (11) is not submitted
(12) is not on proper form (Must use a Court-approved form used in filing prisoner complaints)
(13) is missing an original signature by the prisoner
(14) is missing pages
(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 and provide answers to questions set forth on Court-approved form
(18) other:

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 Court-approved Prisoner Complaint form and the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. Use of Court-approved forms is required to cure the deficiencies in the Complaint. 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 31, 2014, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge