

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

Civil Action No. 15-cv-00115-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.)

LEROY W. BAKER, a.k.a. LEROY WALTER BAKER,

Plaintiff,

v.

RICK RAEMISCH, Director, Dept. of Corr.,
JAMES FAULK, Warden, Sterling Corr. Facility,
LT. HOFFMAN, Officer Sterling Colorado Facility,
ZACHARY AUCOIN, Officer, Sterling Correctional Facility,
LT. SANDERS, Officer, Sterling Correctional Facility, and
AND 3 UNKNOWN OFFICERS, Sterling Correctional Facility,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff Leroy Walter Baker is in the custody of the Colorado Department of Corrections and currently is incarcerated at the Sterling Correctional Facility. Plaintiff has submitted a Prisoner Complaint pursuant to 42 U.S.C. § 1983 and the Federal Tort Claims Act.

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 his claims. 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) is missing a certified prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) is missing a certified account statement showing the current balance in Plaintiff's prison account is not certified
- (5) is missing required financial information
- (6) is signed but not dated by the prisoner
- (7) is not on proper form (must use the Court's current form)
- (8) names in caption do not match names in caption of complaint, petition or habeas application
- (9) is missing a signed authorization to allow agency to disburse funds from inmate account
- (10) other:

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper form (must use the Court's current form used in filing 28 U.S.C. § 2254 actions)
- (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) other: Fails to list at least two of the named defendants and provide their addresses in Section A. 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 Court-approved forms used in filing a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (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 January 20, 2015, at Denver, Colorado.

BY THE COURT:

s/Gordon P. Gallagher
United States Magistrate Judge