

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00434-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.)

ANDREW SCOTT WREN,

Plaintiff,

v.

DENVER SHERIFF DEPARTMENT, CITY COUNTY OF DENVER,
COLE, Denver County Sheriff's Deputy, in His Official and Individual Capacities,
DEPUTY # 2, Denver County Sheriff's Deputy, in His Official and Individual Capacities,
and
DEPUTY # 3, Denver County Sheriff's Deputy, in His Official and Individual Capacities,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Andrew Scott Wren, in the custody of the Colorado Department of Corrections at the Kit Carson Correctional Facility in Burlington, Colorado. Plaintiff has submitted a Prisoner Complaint (ECF No. 1). pursuant to 42 U.S.C. § 1983 and a "Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915, and Motion to Request Court Appoint Counsel to this Pro Se Plaintiff" (ECF No. 3). 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 missing an original signature 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: **In the alternative Plaintiff may prepay the \$400 filing fee.**

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 and date 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: E. Previous Lawsuit section of the Complaint form is not completed (Plaintiff has filed previous cases in this Court, must list all cases filed in any federal or state court)

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 form used in filing 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 March 4, 2015, at Denver, Colorado.

BY THE COURT:

s/Gordon P. Gallagher
United States Magistrate Judge