

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

Civil Action No. 15-cv-00465-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.)

GABRIEL RODRIGUEZ-AGUIRRE,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff Gabriel Rodriguez-Aguirre is in the custody of the Federal Correctional Institution in Englewood, Colorado. Plaintiff has submitted a Prisoner Complaint pursuant to 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 certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) is missing certified statement showing current balance in prison account
- (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) An original and a copy have not been received by the court. Only an original has been received.
- (10) other: Plaintiff has failed to submit his authorization for disbursement of funds from his prisoner account

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper form (must use the court's current 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) An original and a copy have not been received by the court. Only an original has been received.
- (17) Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18) names in caption do not match names in text
- (19) 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 proper Court-approved form used in filing a 28 U.S.C. § 1915 Motion and a Prisoner Complaint (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov, for use in curing deficiencies. 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 5, 2015, at Denver, Colorado.

BY THE COURT:

s/Gordon P. Gallagher
United States Magistrate Judge