

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01267-GPG

**DOUGLAS EDWARD BRUCE,**

Applicant,

v.

**STATE OF COLORADO;  
COLORADO PROBATION DEPARTMENT;  
COLORADO ATTORNEY GENERAL;  
COLORADO SUPREME COURT; and  
DENVER DISTRICT COURT; et al.,**

Respondents.

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**ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES**

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Applicant, Douglas Edward Bruce, initiated this action by filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 1). He has paid the \$5.00 filing fee.

In the § 2241 Application, Mr. Bruce is seeking to invalidate his 2012 conviction in the Denver District Court. “Petitions under § 2241 are used to attack the execution of a sentence, see *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir.1996), while a petition under § 2254 challenges the validity of a state court conviction or sentence. See *McIntosh v. United States Parole Comm’n*, 115 F.3d 809, 811 (10th Cir. 1997). All of Mr. Bruce’s claims challenge the validity of his state court convictions and sentence(s). Therefore, Applicant must seek relief under 28 U.S.C. § 2254, not § 2241.

Pursuant to D.C.COLO.LCivR 8.1(a), the Court has determined that the submitted document is deficient as described in this order. Mr. Bruce will be directed to cure the following if he wishes to pursue his claims. Any papers that the Mr. Bruce files in

response to this order must include the civil action number on this order.

**Petition or Application:**

- (10)  is not submitted
- (11)  is not on proper form (must use the court-approved form for filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254).
- (12)  is missing an original signature by the prisoner
- (13)  is missing page nos. \_\_\_\_
- (14)  uses et al. instead of listing all parties in caption
- (15)  names in caption do not match names in text
- (16)  addresses must be provided for all defendants/respondents in “Section A. Parties” of complaint, petition or habeas application
- (17)  other:

Accordingly, it is

**ORDERED** that Mr. Bruce cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers that Mr. Bruce files in response to this order must include the civil action number on this order. It is

**FURTHER ORDERED** that Mr. Bruce obtain the Court-approved form for filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). Applicant shall re-submit his claims on the court-approved form.

It is

**FURTHER ORDERED** that, if Mr. Bruce fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, this action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED August 4, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher  
United States Magistrate Judge