

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01753-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.)

CARLOS MAES,

Plaintiff,

v.

BRITTNEY HAYES,
RYAN MORRIS, Det.,
JULIAN CLARK, Corp.,
LANCE GILBERT, and
BONITA GILBERT,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff, Carlos Maes, has submitted to the Court a Prisoner Complaint (ECF No. 1) and a Motion to File Without Payment of Filing Fee" (ECF No. 3). As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the court has determined that one of the submitted documents is deficient as described in this order. Plaintiff will be directed to cure the following if he wishes to pursue any claims 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) XX is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) ___ is missing certificate showing current balance in prison account
- (5) ___ is missing required financial information
- (6) XX is missing authorization to calculate and disburse filing fee payments

- (7) is missing an original signature by the prisoner
- (8) is not on proper form (must use the court's current form)
- (9) names in caption do not match names in caption of complaint, petition or habeas application
- (10) other: 1915 motion and supporting documents are necessary only if filing fees totaling \$400.00 are not paid in advance.

Complaint, Petition or Application:

- (11) is not submitted
- (12) is not on proper 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) 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
- (18) other: _____.

Accordingly, it is

ORDERED that Plaintiff cure the deficiencies designated above **within thirty (30) 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 the Clerk of Court shall send Plaintiff a copy of the court-approved form (and attachments) for filing a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. Plaintiff shall use the form in curing the deficiencies. It is

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

DATED August 14, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge