

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

Civil Action No. 15-cv-01851-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.)

DONNIQUE HESTER,

Plaintiff,

v.

EMT, Ambulance 33, Denver Health

JOY STEPHENS, In Official and Individual Capacities,

CASILLAS JAY JR., P13016, Police Department, In Official and Individual
Capacities, and

RICHARD SMITH, Ambulance 33, Denver Health, In Official and Individual Capacities,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

On August 25, 2015, Plaintiff Donnique Hester submitted to the Court a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. The Court, therefore, has initiated an action as it appears Plaintiff intends to proceed with an action in this Court. As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the Court has determined that the filing is deficient as described in this Order. Plaintiff will be directed to cure the following if he wishes to pursue any claims in this Court 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) X the prisoner's trust fund statement submitted does not cover the full **6-month period immediately preceding** this filing and is not certified by a jail official
- (4) ___ is missing certificate showing current balance in prison account
- (5) ___ is missing required financial information
- (6) ___ 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
- (9) ___ names in caption do not match names in caption of complaint, petition or habeas application
- (10) ___ other:

Complaint, Petition or Application:

- (11) X is not submitted
- (12) ___ is not on proper form (Plaintiff may find the Court-approved forms at www.cod.uscourts.gov.)
- (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 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 the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form if desired (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at

www.cod.uscourts.gov. Plaintiff must use the Court-approved forms when curing the 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 August 26, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge