

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

Civil Action No. 15-cv-02082-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.)

KENNETH A. MORRIS,

Applicant,

v.

[NO NAMED RESPONDENT],

Respondent.

ORDER DIRECTING APPLICANT TO CURE DEFICIENCIES

On September 21, 2015, Kenneth A. Morris submitted to the Court a Letter, ECF No. 1, that states he is challenging the calculation of his sentence, but the prison legal department is denying him the forms he needs to file a 28 U.S.C. § 2241 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 filings are deficient as described in this Order. Applicant will be directed to cure the following if he wishes to pursue any claims in this Court in this action. Any papers that Applicant files in response to this Order must include the civil action number on this Order.

Applicant requests that the Court provide the forms to him. Forms usually are provided by either the prison's legal assistance or an applicant's case manager and are available at www.cod.uscourts.gov. Applicant has not provided to the Court any

documentation that he submitted a request for the forms from either his case manager or a legal assistant and his request was denied. Applicant will be directed to obtain the needed forms as stated below.

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 showing the current balance in his prison account
- (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: In the alternative Applicant may pay the \$5 filing fee

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 Applicant cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers that Applicant files in response to this Order must include the civil action number on this Order. It is

FURTHER ORDERED that Applicant shall obtain the proper forms, depending on the type of habeas action Applicant intends to file (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at

www.cod.uscourts.gov. Applicant must use the Court-approved forms when curing the deficiencies. It is

FURTHER ORDERED that Applicant's case manager or the facility's legal assistant provide to Applicant, as previously arranged by the Court and the prison facility, the necessary forms for Applicant to proceed with this action. It is

FURTHER ORDERED that, if Applicant fails to cure the designated deficiencies **within thirty days from the date of this Order**, the action will be dismissed without further notice.

DATED September 23, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge