

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02527-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.)

DAVON COPPAGE,

Plaintiff,

v.

C. HAGENS, Officer,
FNU YENTER, Officer,
T.K. COZZA-RHODES, and
FEDERAL BUREAU OF PRISONS,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff, Davon Coppage, is in the custody of the Federal Bureau of Prisons at the United States Penitentiary, in Florence, Colorado. Plaintiff has filed, *pro se*, a Prisoner Complaint pursuant to 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). (ECF No. 1). He has also filed a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. (ECF No. 2).

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 his claims in this Court in this action. Any papers that Plaintiff files in response to this Order must include the civil action number noted above in the caption of this Order.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) is not submitted
- (2) is not on a proper Court-approved form (must use the Court's current Prisoner "Motion Pursuant to 1915 (Waive Fee) Complaint" form).
- (3) is missing affidavit
- (4) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (5) is missing certificate showing current balance in prison account
- (6) is missing authorization to calculate and disburse filing fee payments
- (7) is missing an original signature by the prisoner
- (8) other: Plaintiff may pay the \$400.00 filing fee in lieu of filing a § 1915 motion and affidavit.

Complaint, Petition or Application:

- (9) is not submitted
- (10) is not on proper form
- (11) is missing an original signature by the prisoner
- (12) is missing page nos. _____
- (13) uses et al. instead of listing all parties in caption
- (14) names in caption do not match names in text
- (15) other:

Accordingly, it is

ORDERED that Plaintiff cure the deficiency 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 the Plaintiff shall obtain the court-approved form for filing a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (with the assistance of his case manager or the facility's legal assistant), along with the attachments and applicable instructions, at www.cod.uscourts.gov. Plaintiff shall use the form in curing the deficiency noted. It is

FURTHER ORDERED that if Plaintiff fails to cure the designated deficiency **within thirty days from the date of this Order** this action will be dismissed without further

notice.

DATED November 19, 2015, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge