

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

Civil Action No. 16-cv-00093-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.)

TRAVIS HODSON,

Applicant,

v.

BIRGIT FISHER, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

**ORDER VACATING JANUARY 20, 2016 ORDER AND
DIRECTING APPLICANT TO CURE DEFICIENCIES**

Applicant Travis Hodson currently is held at the Colorado Mental Health Institute in Pueblo, Colorado. Applicant has submitted an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 and a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. Inadvertently, on January 20, 2016, Applicant was granted leave to proceed pursuant to § 1915. The January 20 Order will be vacated based on the following reasons.

As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the Court has determined that the submitted documents are deficient as described in this Order. Applicant will be directed to cure the following if he wishes to pursue his claims. Any papers that Applicant 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) ___ is missing a certified prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) ___ is missing a certified account statement showing the current balance in Applicant's prison account is not certified
- (5) ___ is missing required financial information
- (6) X is missing an original signature by the prisoner
- (7) ___ is not on proper form (must use the Court's current form)
- (8) ___ names in caption do not match names in caption of complaint, petition or habeas application
- (9) ___ is missing a signed authorization to allow agency to disburse funds from inmate account
- (10)___ other:

Complaint, Petition or Application:

- (11)___ is not submitted
- (12)___ is not on proper form
- (13) X 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)___ other:

Accordingly, it is

ORDERED that the January 20, 2016 Order Granting Leave to Proceed Pursuant to 28 U.S.C. § 1915, ECF No. 4, is vacated. It is

FURTHER 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 Court-approved forms used in filing an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Action (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. 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 January 27, 2016, at Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink, consisting of a series of connected, fluid strokes that form a stylized, cursive representation of the name Gordon P. Gallagher.

Gordon P. Gallagher
United States Magistrate Judge