

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 16-cv-00369-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.)

JOHNNY RAY CHANDLER, SR.,

Plaintiff,

v.

CHARLES PORCO, and
J. OSLAND,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff Johnny Ray Chandler, Sr., is a prisoner in the custody of the Federal Bureau of Prisons currently incarcerated at ADX in Florence, Colorado. On February 11, 2016, Plaintiff initiated this action by filing *pro se* a Prisoner Complaint.

As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(b), the Court has determined that the submitted document 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.

The Court also notes that Plaintiff is subject to filing restrictions pursuant to 28 U.S.C. § 1915(g). See *Chandler v. Pigos, et al.*, No. 14-cv-01723-CCC-EC (M.D. Pa. Oct. 23, 2014).

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

- (1) is not submitted
- (2) is missing affidavit
- (3) is not on proper form (Must use Court-approved form revised 10-1-12)
- (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 filing fee instead of submitting the § 1915 motion and supporting documents.

Complaint, Petition or Application:

- (9) is not submitted
- (10) is not on proper form (must use the Court's current 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 Plaintiff shall obtain the court-approved Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 form (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 Plaintiff fails to cure the designated deficiency **within thirty days from the date of this Order** the Complaint and the action will be dismissed without further notice.

DATED: February 17, 2016, at Denver, Colorado.

BY THE COURT:

s/Gordon P. Gallagher
United States Magistrate Judge